

or whatever rule may be agreed upon; but I do not want amendments to be presented the meaning of which we can not understand and have to vote blindly on them. That is my objection.

Mr. SMITH of Maryland. Very well, I will accept the suggestion of the Senator.

Mr. JAMES. Mr. President, I should like to ask the Senator a question. That will not, as I understand it, shut out any amendment that may be offered to the amendment proposed by the Senate committee even if it is adopted as an amendment striking out the House provision?

Mr. SMITH of Maryland. I do not so understand. The Senator, I think, would have the right to offer any amendment he sees fit to the amendment reported by the Senate committee.

Mr. Clark of Wyoming. If the committee amendment should be adopted, then amendments could not be offered to it as in Committee of the Whole.

Mr. SMITH of Maryland. Not as in Committee of the Whole.

Mr. JAMES. Suppose a vote is taken and the amendment offered by the committee is adopted, striking out the House provision and substituting the half-and-half plan; then suppose I wanted to offer an amendment providing that the Government should pay one-third and the District two-thirds, would that be in order?

Mr. SMITH of Georgia. Would it not be necessary to offer that as an amendment to this provision?

Mr. JAMES. It certainly would not be in order after the action is taken upon the part of the Senate upon the pending amendment.

Mr. SMITH of Maryland. As I understand, the Senator can offer any amendment to this amendment that he desires.

Mr. JAMES. To which amendment?

Mr. SMITH of Maryland. To the amendment reported by the committee.

The VICE PRESIDENT. There is no doubt about the right to offer an amendment to the pending amendment.

Mr. GALLINGER. Provided it is not in the third degree.

Mr. JAMES. I have an amendment I wish to offer.

The VICE PRESIDENT. Does the Chair understand that the Senator from Kansas objects?

Mr. BRISTOW. I will ask the Secretary to read the proposed agreement as modified in accordance with the suggestions which have been made.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

It is agreed, by unanimous consent, that on to-morrow, Tuesday, January 12, 1915, at not later than 2 o'clock p. m., the Senate will proceed to vote upon any amendment that may be then pending or that may be offered to the reported amendment of the committee on pages 1 and 2 of the bill H. R. 19422, the District of Columbia appropriation bill, and immediately thereafter on the said amendment of the committee, as amended or otherwise: *Provided*, That after the hour of 2 o'clock p. m. no Senator shall speak more than once nor longer than five minutes upon any single amendment.

Mr. BRISTOW. That is all right.

The VICE PRESIDENT. Now, is there any objection?

Mr. OLIVER. A parliamentary inquiry. Is it not necessary to call the roll?

The VICE PRESIDENT. The language of the rule is that it is necessary to call the roll only when the proposed unanimous-consent agreement provides for a final vote on the passage of a bill or resolution. Is there objection to the unanimous consent requested by the Senator from Maryland? The Chair hears none, and the agreement is entered into.

Mr. SHEPPARD. I send to the desk a notice of a motion to suspend the rules, which I ask to have read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

In accordance with Rule XL of the standing rules of the Senate, I hereby give written notice that it is my intention to move to suspend paragraph 3 of Rule XVI for the purpose of moving the following amendment to the bill (H. R. 19422) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes:

"Sec. —. That from and after the 1st day of November, A. D. 1916, it shall be unlawful to manufacture, barter, sell, or give away any spirituous, vinous, malt, or other alcoholic liquors of any kind within the District of Columbia, excepting, however, pure grain alcohol to be used for mechanical, pharmaceutical, medicinal, and scientific purposes, or wine for sacramental purposes by religious bodies, which alcohol and wine may be sold by registered druggists or pharmacists only.

"Sec. —. That any person who shall manufacture, barter, sell, or give away any such intoxicating liquors or otherwise violate the provisions of this section shall be guilty of a misdemeanor and be fined not less than \$100 nor more than \$5,000, or be imprisoned for not less than 1 or more than 12 months, or be both fined and imprisoned for each offense, and for a second or subsequent offense such person shall be fined and imprisoned; and each act of manufacturing, bartering, selling, or giving away such liquors shall, for the purpose of this section, constitute a separate offense.

"Sec. —. That the words 'give away' where they occur in this act shall not apply to the giving away of intoxicating liquors by any person in his private dwelling, unless such private dwelling is a place of public resort.

"Sec. —. That all laws and parts of laws relating to the subject of intoxicating liquors in the District of Columbia not inconsistent herewith are hereby declared to be in full force and effect."

#### EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 46 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 12, 1915, at 12 o'clock meridian.

#### NOMINATION.

*Executive nomination received by the Senate January 11, 1915.*

##### DEPUTY ASSISTANT TREASURER.

Frank J. F. Thiel, of New York, to be Deputy Assistant Treasurer of the United States, in place of George Fort, promoted to Assistant Treasurer of the United States.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 11, 1915.*

##### CONSUL.

Frank C. Denison to be consul at Prescott, Ontario, Canada.

##### POSTMASTERS.

###### ALABAMA.

Leslie Booker, Phoenix.

Barney M. Roberts, Clanton.

###### COLORADO.

Joseph W. Burkhard, Florence.

###### HAWAII.

Henry K. Plemmer, Waialua.

###### ILLINOIS.

Ralph A. Pate, Glencoe.

###### PENNSYLVANIA.

Daniel E. Hanrahan, Hallstead.

###### UTAH.

David Bennion, Vernal.

###### WASHINGTON.

George D. Shannon, Anacortes.

## HOUSE OF REPRESENTATIVES.

Monday, January 11, 1915.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, impress us, we beseech Thee, with the great responsibility Thou hast laid upon us in the gift of life that we may work out our salvation with fear and trembling and thus further the plans Thou hast ordained. But we are reassured, encouraged, and made stronger when we realize the responsibility Thou has taken upon Thyself as the author and finisher of our faith, and in the forces Thou art using to develop and ennoble our being as instruments in Thy hands for the carrying out of the work which Thou hast begun in us under the divine leadership of the world's great Exemplar. Amen.

The Journal of the proceedings of Saturday, January 9, 1915, was read and approved.

#### RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following resignation of a Member:

JANUARY 9, 1915.

HON. CHAMP CLARK,

Speaker House of Representatives.

MY DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the governor of Ohio my resignation as a Representative in the Congress of the United States from the fifth district of Ohio.

TIMOTHY T. ANSBERRY.

#### CHANGE OF REFERENCE.

Mr. ANTHONY. Mr. Speaker, on December 29 Senate bill 6011 came over to the House and was referred to the Committee on Naval Affairs. It is a bill for the reinstatement in the Revenue-Cutter Service, and the House Committee on Interstate and Foreign Commerce has jurisdiction over such matters, and I would ask that the bill be withdrawn from the Committee on

Naval Affairs, to which it was wrongfully referred, and, if it is in order, that it lie on the Speaker's table.

The SPEAKER. The gentleman from Kansas asks unanimous consent to withdraw from the consideration of the Committee on Naval Affairs the bill the number of which he has given, and the same lie on the Speaker's table. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this is a very unusual proceeding.

The SPEAKER. The Chair knows it is. It is the first time the Chair has ever heard of it.

Mr. MANN. And it seems to me the gentleman ought to ask that it be referred to the proper committee.

Mr. STAFFORD. Will my colleague yield? There being a similar bill already reported and on the House Calendar, and it having been reported and on the House Calendar prior to the Senate bill having been brought to the House, why should not the gentleman from Kansas have the same right he would have had at the time to have it taken from the Speaker's table?

Mr. MANN. I do not think the bill is on the House Calendar. If it is, it does not belong there. It is a private bill.

Mr. ANTHONY. I will say a similar bill has been reported from the House committee.

Mr. MANN. And it is on the Private Calendar.

Mr. ANTHONY. It is.

Mr. MANN. And it ought to be referred.

The SPEAKER. Is there objection?

Mr. MANN. I hope the gentleman will make his request to refer it to the proper committee.

Mr. ANTHONY. Of course if the gentleman from Illinois feels—

Mr. MANN. I do not think we ought to commence the practice of bringing a bill back and placing it on the Speaker's table—

Mr. ANTHONY. It would expedite the bill; it is a most meritorious bill.

Mr. MANN. It will not expedite it at all.

Mr. ANTHONY. Then I will ask the bill be referred to the proper committee.

Mr. EDWARDS. Mr. Speaker, reserving the right to object, a few of us have not quite understood what is going on.

Mr. ANTHONY. Mr. Speaker, I would like to modify the request and ask that the bill be referred to the proper committee, which is the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Kansas asks a reference of the bill from the Committee on Naval Affairs to the Committee on Interstate and Foreign Commerce. Is there objection? [After a pause.] The Chair hears none.

#### HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. UNDERWOOD. Mr. Speaker, I desire to ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none.

#### ORDER OF BUSINESS.

Mr. UNDERWOOD. Mr. Speaker, I notice in the Record the gentleman from Florida [Mr. SPARKMAN], having in charge the river and harbor appropriation bill, gave notice Saturday that he desired to call it up to-day. There are not very many District days left, and, although I am very anxious to see the appropriation bills expedited, I hope the gentleman will not make that motion this morning, as I think there are some bills on the District Calendar that ought to be disposed of. Later in the session, of course, everything else will have to give way to appropriation bills; but this may be the last chance that the District Committee has to get its bills up, and I hope the gentleman will not insist on his motion to-day.

Mr. SPARKMAN. Mr. Speaker—

Mr. DONOVAN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. To make a unanimous-consent request, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. I ask unanimous consent that the 20 minutes allotted to me in general debate on the river and harbor bill be allowed me when we consider the bill in the Committee

of the Whole House on the state of the Union under the five-minute rule.

Mr. SPARKMAN. I shall object to that, Mr. Speaker.

The SPEAKER. The gentleman from Florida objects.

Mr. MANN. Oh, no; let him have it.

Mr. SPARKMAN. Mr. Speaker, in view of the statement made by the gentleman from Alabama and out of deference to his views on the subject I will not make the motion this morning.

#### DISTRICT OF COLUMBIA BUSINESS.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

Mr. JOHNSON of Kentucky. Mr. Speaker, pending that, I wish to invite attention to House bill 13388, a bill for the relief of James T. Petty; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing. It is on the Private Calendar, and I feel quite sure it ought to be on the Union Calendar, as it carries an appropriation, or at least authorizes an appropriation. It is my opinion that it ought to be on the Union Calendar.

Mr. MANN. It is a private bill?

Mr. JOHNSON of Kentucky. It is a private bill, but it authorizes an appropriation.

Mr. MANN. Nearly all private bills do.

Mr. JOHNSON of Kentucky. Very well, Mr. Speaker, I just wished to invite attention to it for the purpose of ascertaining whether or not it is upon the Private Calendar. If it is on the Private Calendar, well and good.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] moves that the House go into Committee of the Whole House on the state of the Union for the consideration of District bills. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from South Carolina [Mr. FINLEY] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of District of Columbia bills, with Mr. FINLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering bills on the calendar for the District of Columbia.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Is this the Committee of the Whole or the Committee of the Whole House on the state of the Union?

The CHAIRMAN. The Chair understood it was the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky. No; it is the Committee of the Whole.

The CHAIRMAN. The Chair got the idea that some appropriation was carried in the bill.

Mr. MANN. Is it in Committee of the Whole or Committee of the Whole House on the state of the Union?

Mr. JOHNSON of Kentucky. The first bill I wish to call up is on the Union Calendar.

Mr. MANN. That is in Committee of the Whole House on the state of the Union.

The CHAIRMAN. Yes; that is in Committee of the Whole House on the state of the Union; Calendar No. 348, on the Union Calendar.

#### SETTLEMENT OF SHORTAGES IN CERTAIN ACCOUNTS.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized and directed to adjust and settle the shortages in certain accounts of said District arising through the defalcation of J. M. A. Watson, formerly an employee of the government of said District, by paying into the Treasury of the United States the sum of \$63,939.96, to be credited as follows: Miscellaneous receipts, United States, \$10,623.75; miscellaneous trust-fund deposits, District of Columbia, \$51,556.22; and permit fund, District of Columbia, \$1,759.99. There is hereby appropriated to carry into effect the provisions of this act the sum of \$63,939.96, to be paid wholly from the revenues of the District of Columbia.



Mr. JOHNSON of Kentucky. Mr. Chairman, in 1902, I believe it was, one of the employees of the District of Columbia, a man by the name of Watson, misappropriated about \$70,000 of money belonging to a special fund. That deficit has since been carried as a deficit. This bill is for the purpose of having the proper book credits made, in order that this deficit may no longer be carried as such, but in order that it may be cleared up.

The report, No. 1212, which was filed some months ago by me, is, I think, quite clear and explicit, and I have no doubt that all those who are following this legislation are familiar with it, and I trust the reading of it will not be necessary.

Mr. MADDEN. What became of the man? Was he punished?

Mr. JOHNSON of Kentucky. The man was sent to the penitentiary. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MANN. Why should all this be charged to the District of Columbia? Why should the entire amount of the defalcation be charged to the District of Columbia?

Mr. JOHNSON of Kentucky. For the very good reason that the Commissioners of the District of Columbia, at the time of this defalcation, had collected money and had it placed within reach of this defaulter which they had no right to collect. They exceeded their authority in having this money paid into the District treasury at all.

Mr. MANN. Then it was the negligence or fault of the Commissioners of the District of Columbia?

Mr. JOHNSON of Kentucky. It was; to the extent indicated. Mr. MANN. They are appointed by the President under an act of Congress?

Mr. JOHNSON of Kentucky. Yes.

Mr. MANN. Why should the entire cost of their negligence be charged to the people of the District, who have nothing whatever to do with their selection?

Mr. JOHNSON of Kentucky. Under the law they have to be selected from residents in the District of Columbia.

Mr. MANN. Yes; I know; under the law. But that law is not followed, apparently. But, even then, the District of Columbia—

Mr. JOHNSON of Kentucky. The present board of commissioners thinks, and I think the other board which preceded it thought, that this ought to be paid out of the District funds.

Mr. MANN. I have read the report, but I confess I could not see any reason why, for negligence on the part of the officials of the United States, the entire cost of that negligence should be charged to the people of the District of Columbia.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Kentucky [Mr. JOHNSON] that the bill be laid aside with favorable recommendation.

The motion was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, the other bills which I have are on the House Calendar. Therefore I move that the committee rise and report to the House the bill which we have acted upon, with a recommendation that it pass.

The CHAIRMAN. The gentleman from Kentucky moves that the committee rise and report the bill to the House with the recommendation that it pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FINLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes, and had directed him to report the same back to the House with the recommendation that it pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### CEMETERY OF THE WHITE'S TABERNACLE.

Mr. JOHNSON of Kentucky. Now, Mr. Speaker, I desire to call up the bill (H. R. 13226) prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia.

The SPEAKER. What is the calendar number?

Mr. JOHNSON of Kentucky. No. 226.

Mr. MANN. House Calendar?

Mr. JOHNSON of Kentucky. Yes; House Calendar, No. 226.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That from and after the date of the passage of this act it shall be unlawful to inter the body of any person in the cemetery known as the Cemetery of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, and situate in the District of Columbia, to wit: Part of a tract called "Chappel's Vacancy," contained within the following metes and bounds, namely: Beginning for the same at the southeast corner of the land conveyed to Frederick Bangerter by deed recorded in Liber No. 785, folio 474, of the land records of the District of Columbia, and running thence north 15½ degrees east, 20.44 perches; thence south 89 degrees east, 3.9 perches; thence south 15½ degrees west, 20.44 perches; thence north 89 degrees west, 3.9 perches to the point of beginning; and any person or persons violating the provisions of this act, or aiding or abetting its violation, shall be subject to a fine of not less than \$100 nor more than \$500 for each offense, to be collected as other fines are collected in the District of Columbia.

Sec. 2. That the board of officers of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia be, and they are hereby, authorized and empowered, under such regulations as the Commissioners of the District of Columbia may prescribe, to disinter and remove all the bodies now buried in said cemetery lot, and to transfer and reinter the same in some other suitable cemetery or cemeteries selected by the said board of officers of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, and at the cost and expense of said order: *Provided*, That each monument, tombstone, or marker marking any grave or graves in said described burial ground shall be transferred to mark the grave or graves in which such body or bodies are to be interred, and shall be there placed in position as soon as can be done without danger of settling.

Sec. 3. That in so far as the same shall be inconsistent with the provisions of this act as to the cemetery lot herein described, sections 675 and 680 of the Code of Laws of the District of Columbia shall be, and the same are hereby, declared inoperative, otherwise said sections 675 and 680 to remain unqualified and in full force and effect.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MANN. Mr. Speaker, will the gentleman from Kentucky yield for a question?

Mr. JOHNSON of Kentucky. I do.

Mr. MANN. As I understand, one of the purposes of this bill is to permit the disinterment of bodies buried in a cemetery here belonging to an order and reburying them in the cemetery which they have acquired?

Mr. JOHNSON of Kentucky. My information is that this is an unused cemetery that the Thomas J. Fisher Real Estate Co. has bought, and they have paid part of the money, and the remainder of the money is held in escrow until the passage of this bill. The money paid has been used in buying a cemetery that is called for in the agreement.

Mr. MANN. But what I want to call the attention of the gentleman to is that under the terms of the bill, without amendment, they could not inter the bodies in the cemetery in Maryland.

Mr. JOHNSON of Kentucky. I did not catch that.

Mr. MANN. The language on page 3, in line 3, "in the District of Columbia," should be stricken out of the bill.

Mr. JOHNSON of Kentucky. The bill was prepared by the gentleman from New York [Mr. OGLESBY].

Mr. MANN. But the bill as drawn provides that they may reinter the bodies in a cemetery which they have in the District of Columbia.

Mr. JOHNSON of Kentucky. That ought to be stricken out.

Mr. MANN. The report shows that the cemetery is outside of the District of Columbia.

Mr. JOHNSON of Kentucky. I move to strike out, on page 3, in line 3, the words "in the District of Columbia." That will correct it, will it not?

Mr. MANN. Yes.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amend, page 3, by striking out, in line 3, the words "in the District of Columbia."

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. Do I understand that the ownership of the lots in this cemetery is in the lodge organization, or is it in individuals in fee?

Mr. JOHNSON of Kentucky. I understand it is in the lodge organization, and that the officers of that lodge have been traded with.

Mr. STAFFORD. I am acquainted with the Odd Fellows cemetery in Philadelphia, under the jurisdiction of the Odd Fellows Lodge, but the title to the lots in that cemetery is in the individuals who purchased the lots. Here you are granting full authority to the directors to remove the bodies of the dead, without the consent of the relatives of the deceased.

Mr. MANN. That is something we have nothing to do with anyhow.



Mr. STAFFORD. Perhaps the relatives of the deceased might object to the disinterment being made by the directors of the lodge. Has that subject been considered at all by the committee?

Mr. JOHNSON of Kentucky. I will say to the gentleman from Wisconsin that I have not given this bill much of my personal attention. It was up before the committee and approved, and the gentleman from Arkansas [Mr. CARAWAY] was designated by the committee to ascertain whether or not either the United States Government or the District of Columbia had any title in the property, and he reported that neither had any interest; and he was also directed by the committee to prepare and make the report, which was done by him. My information all around is that the passage of the bill will lead to no trouble.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

#### EXECUTORS OF CHARLES B. CHURCH, DECEASED, ET AL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up a bill that is on the private calendar (H. R. 13388) for the relief of James T. Petty; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing.

The bill was read, as follows:

*Be it enacted, etc.,* That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to cause to be paid to James T. Petty, formerly auditor of the District of Columbia; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing, sureties on the bond of said James T. Petty, as such auditor, the sum of \$2,824, to reimburse them for that amount paid by them for counsel fees and printing record in the case, Supreme Court of the District of Columbia, at law, No. 46544, District of Columbia, plaintiff, against James T. Petty, Charles W. Church, William A. H. Church, Mary A. Church, and Joseph J. Darlington, executors of Charles B. Church; Jesse B. Wilson, and George T. Dearing, defendants. That in order to carry out the provisions of this act the sum of \$2,824 is hereby appropriated, which sum shall be paid wholly out of the revenues of the District of Columbia.

Mr. MANN. Mr. Speaker, I make the point of order that this is a private-claim bill, over which the Committee on the District of Columbia has no jurisdiction; and I call attention to paragraph 4 of Rule XXI, which reads that—

No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following-named committees, viz: To the Committee on Invalid Pensions, to the Committee on Pensions, to the Committee on Claims, to the Committee on War Claims, to the Committee on the Public Lands, and to the Committee on Accounts.

Mr. JOHNSON of Kentucky. Mr. Speaker, this is not a claim against the Government.

Mr. MANN. Oh, yes; it is a claim for reimbursement for the amount paid by the parties named for counsel fees, including record, in the Supreme Court of the District of Columbia.

Mr. JOHNSON of Kentucky. It is payable out of the funds of the District of Columbia.

Mr. MANN. That does not make any difference.

Mr. JOHNSON of Kentucky. Yes. It is a claim against the District of Columbia and not against the Government.

The SPEAKER. The Chair thinks the point of order is well taken.

#### DRINKING WATER AT AMUSEMENT PARKS.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 16759) to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, and so forth.

The bill was read, as follows:

*Be it enacted, etc.,* That all persons, firms, or corporations in the District of Columbia engaged in conducting open-air theaters, baseball parks, or other places of amusement where admission fees are charged by said owners or lessees shall furnish, free of cost, to the patrons of said places an adequate supply of pure, cool, drinking water, with sanitary cups, which shall be placed in sufficient amount to be conveniently accessible to all the patrons as aforesaid.

Sec. 2. That any person, firm, or corporation failing to comply with the provisions of this act shall be punished as for a misdemeanor and fined not less than \$25 nor more than \$100 for each offense.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That hereafter it shall be unlawful for each and every person, firm, or corporation directly or indirectly operating or conducting or participating in the operation, management, or control of any theater, picture show, ball park, or other place of amusement or entertainment in the District of Columbia, to which place of amusement or entertainment an admission fee is charged, to fail or refuse to furnish free of any charge whatsoever by placing within convenient and accessible reach an adequate supply of pure, cool, drinking water, together with cups from which it may be drunk, to all persons who are patrons of any such place while said patrons are actually in attendance at such theater, picture show, ball park, or other place of amusement or entertainment above described."

"Sec. 2. That any person, firm, or corporation which fails to comply with the provisions of the above section shall be guilty of a misde-

meanor; and upon conviction of such failure or refusal shall be fined not less than \$25 nor more than \$100 for each offense. A failure to so supply each and every patron hereinbefore mentioned shall be a distinct offense. It is hereby made the duty of the Commissioners of the District of Columbia to see that the provisions of this act are enforced."

Mr. MANN. Mr. Speaker, may I ask the gentleman from Kentucky is it intended that this shall apply to a temporary place of amusement, even a circus?

Mr. JOHNSON of Kentucky. I do not know whether it was intended to do so or not; but, in my opinion, it does.

Mr. MANN. It seems to do so. I do not know how a circus on a vacant lot would manage to furnish free drinking water in such quantities as might be required.

Mr. JOHNSON of Kentucky. I think the gentleman is correct about that. I doubt the propriety of requiring that, and I will accept an amendment excepting circuses.

Mr. MANN. I will say to the gentleman that I have no amendment prepared. There might be some entertainment given by school children to which an admission charge was paid.

Mr. JOHNSON of Kentucky. The water would be there, without this bill.

Mr. MANN. I think not.

Mr. JOHNSON of Kentucky. As I understand from the gentleman from Georgia [Mr. HOWARD], who introduced this bill, it was intended principally to cover the situation at the ball park, where people go in large numbers and pay their money, and are kept there all the afternoon without water, and are compelled to buy soft drinks, which create thirst rather than lessen it.

Mr. MANN. As a matter of fact, I have taken the liberty to attend the ball park on various occasions. A ball game usually lasts about two hours, and the man who is so thirsty that he can not go without a drink for two hours but has to get a drink there and discommode everybody by passing by, better stay at home.

Mr. JOHNSON of Kentucky. Any of those who want to stay at home have my consent to do it. It occurs to me that those who are thirsty ought to have an opportunity to get a drink of water on a hot summer afternoon.

Mr. MANN. As a matter of fact, in the theaters they pass the water around.

Mr. JOHNSON of Kentucky. They do, and they ought to do so at the ball park.

Mr. MANN. To pass the water around would not comply with the provisions of the bill.

Mr. JOHNSON of Kentucky. Yes; it would, because that is putting it within the reach of the people. At the theater they pass it around, and that is more convenient than it would be if they had to go to another place and get the water. The bill simply provides that water shall be put within convenient reach and that the theater people furnish it to guests instead of making them go after it, which is more convenient.

Mr. MANN. You say that it must be within convenient reach of the people, and that means all the time or else it does not mean anything.

Mr. STAFFORD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. What is the intentment of the framers of the measure—that if the owners of the ball park and other places of amusement will furnish an automatic drinking fountain that would be a compliance with the law?

Mr. JOHNSON of Kentucky. I think unquestionably so.

Mr. STAFFORD. But they are not furnished with drinking cups.

Mr. JOHNSON of Kentucky. If they want to hang a cup there and people want to drink out of it, they can do it.

Mr. STAFFORD. Under some jurisdictions they can not have a common drinking cup, but must furnish sanitary paper cups.

Mr. JOHNSON of Kentucky. If there is any law that requires sanitary drinking cups, this measure will cover it. Of course, it would have to be the kind of cup under this bill that was required.

Mr. STAFFORD. This bill was introduced and designed to prevent the selling of soft drinks, such as Coca Cola, and so forth?

Mr. JOHNSON of Kentucky. It was not introduced for such a purpose, but it is intended to give people who do not want to drink that kind of stuff a chance to get a drink of water.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill. The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 71, noes 15.

So the bill was passed.



On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### REGULATION OF PLASTERING IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 7771, to regulate plastering in the District of Columbia.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the District of Columbia all plastering in dwellings, tenements, apartments, hospitals, schools, and other buildings, when on lath, shall be known as three-coat work, namely, scratch coat, brown coat, and finish.

SEC. 2. Key space: That all ceilings, stud partitions, and furred walls in tenements, apartments, hospitals, schools, and other buildings, where plastered with lime on wood lath, shall have not less than three-eighths inch space between the laths. All grounds and laths shall be not less than seven-eighths inch from the stud.

SEC. 3. First coat or scratch coat: That first or scratch coat shall be of first quality, to be scratched thoroughly to make a key for the second coat, and shall be thoroughly dry or set before applying second coat.

SEC. 4. Second coat: That second coat or brown mortar shall be of first quality. All browning must be straight true, with no unevenness or irregularity of surface.

SEC. 5. Finishing: That when white mortar or any other coat it shall be laid on regular and troweled to a smooth surface, showing neither deficiencies nor brush marks.

SEC. 6. Cornices or coves: That all cornices or coves shall be run straight, true, and smooth.

SEC. 7. Patent plasters: That when patent plasters are used, if on wood lath, shall not be less than one-quarter inch key space. First coat shall be thoroughly scratched to make key to retain second coat, shall be set before second coat is applied.

SEC. 8. That it shall be the duty of the inspector of building construction to enforce the provisions of this act. It shall be the duty of the Commissioners of the District of Columbia to enact such ordinances as may be necessary for the enforcement of this act and to prescribe reasonable penalties for noncompliance therewith. Any inspector appointed in pursuance of this act or in pursuance with the provisions of any such ordinances shall be a competent plasterer of at least five years' practical experience.

SEC. 9. That this act shall take effect 90 days after passage.

The following committee amendments were read:

Amend, page 1, line 3, by striking out the word "all" and inserting in lieu thereof the following: "when three-coat work is used."

Amend, page 2, lines 4 and 5, by striking out the words "mortar or any other coat," and inserting in lieu thereof the following: "lime mortar or plaster of Paris is used as a finishing."

Amend, page 2, line 6, by striking out the period at the end of said line and inserting the following: "any other coat shall be laid on regular and brought to an even surface without deficiencies."

Amend, page 2, line 12, by striking out the semicolon and inserting in lieu thereof the following: "and"; and further amend same line by inserting, after the word "be," the words "allowed to."

Amend, page 2, by beginning with the word "Any," in line 19, and striking out all of said line after said word, all of lines 20, 21, and 22.

The SPEAKER. The question is on the committee amendments.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman if we did not pass a bill sometime ago containing these provisions?

Mr. JOHNSON of Kentucky. This bill has been up once or twice previously, but objections were made to it. Committee amendments have been offered which we think will obviate those objections.

Mr. MANN. Were not these provisions included in the bill of the gentleman from Illinois [Mr. BUCHANAN], which we did pass?

Mr. JOHNSON of Kentucky. I think not. If that bill contained these provisions, it escaped me.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, on page 2, line 19, before the word "shall," I think the word "there" should be inserted, so as to read:

That when patent plasters are used, if on wood lath, there shall not be less than one-quarter inch key space.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 19, before the word "shall," insert the word "there."

Mr. JOHNSON of Kentucky. That is a good amendment, Mr. Speaker, and I accept it.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion by Mr. JOHNSON of Kentucky, motion to reconsider the vote whereby the bill was passed was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 5195. An act for the relief of the Atlantic Canning Co.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.; and

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

#### TRANSPORTATION OF POLICEMEN IN DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 8847, amending paragraph 81 of the act creating a public utilities commission:

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That paragraph 81 of section 8 of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes," approved March 4, 1913, be, and the same hereby is, amended to read as follows:

"Provided, That all street railroads in the District of Columbia be, and are hereby, authorized and required to grant free transportation to members of the fire department of the District of Columbia, members of the Metropolitan police department, and special officers of said department, when said members and officers are in uniform."

With the following committee amendments:

Page 2, line 2, strike out the words "special officers" and insert in lieu thereof the words "crossing policemen."

Page 2, line 2, at the end of the line and after the comma, insert the words "and members of the park police force."

Page 2, at the end of the bill, insert the following:

"However, before any of said officers herein mentioned shall receive free transportation as herein provided for he shall file with the Commissioners of the District of Columbia an affidavit to the effect that he has not, since the date of this report (July 11, 1914), and will not thereafter, pay to any person anything for services in the preparation or passage of this bill."

Mr. JOHNSON of Kentucky. Mr. Speaker, the bill ought to be further amended by inserting "police officers known as crossing policemen."

Mr. MANN. As a matter of fact, we covered this in an amendment to the District appropriation bill.

Mr. KAHN. Mr. Speaker, the District appropriation bill simply took care of the regular police force. This takes care of park policemen and crossing policemen as well. These men perform a very important service in the city, and we feel that they ought to be taken care of in this matter as well as the regular police and the regular firemen. The legislation ought to include all policemen and all firemen in the District.

Mr. MANN. I have no objection to your passing a bill three times if you want to do it.

Mr. PAGE of North Carolina. Mr. Speaker, I have no objection to including the other policemen. I will say that my impression is that the language carried in the District appropriation bill now in the Senate is broad enough to include any policeman in the District of Columbia. It uses the words "policemen in uniform," and certainly the park policemen and the crossing policemen wear policemen's uniforms. I can not see that this bill is any broader than the language that is carried in the appropriation bill now under consideration in the Senate, which has already passed the House. It seems to me that it is absolutely unnecessary to pass this bill, that provision having already passed the House, which provision will unquestionably become a law.

Mr. MANN. Mr. Speaker, of course the language in this bill originally was "members of the Metropolitan police force." That would have excluded crossing policemen and also park policemen, but when we say "policemen in uniform"—

Mr. PAGE of North Carolina. The provision in the appropriation bill does not specify Metropolitan policemen, but it merely says "policemen and firemen in uniforms," which would include all of the policemen, both crossing and park policemen.

Mr. KAHN. Mr. Speaker, of course so far as the gentleman's statement is concerned, I am satisfied that he is of the impression that it does include all of the policemen, and it probably does. But these matters are put up to the law officers of the District for construction, and you can never tell what construction they will place on the language. When the utilities bill was passed there was some language in it which they construed as applying to all policemen and firemen, which forbade them riding on the cars.

Mr. PAGE of North Carolina. It was exactly for that reason that the provision was inserted in the appropriation bill. It was because of the construction placed on the language in the act creating the Utilities Commission that we placed that language in the appropriation; and in drafting that provision, our intention was, and I think we made it sufficiently broad



to do so, to include any policeman in the District of Columbia who has a uniform. For that reason, Mr. Speaker, I see no reason for the passage of this bill.

Mr. MANN. Mr. Speaker, I would not have the slightest objection to passing this bill, if we should leave out the last amendment.

Mr. KAHN. Mr. Speaker, I have no objection to letting the bill go over, in view of the statement made by the gentleman from North Carolina [Mr. PAGE].

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the bill be left on the calendar so that if the District appropriation bill does not take care of the matter we can take his bill up hereafter.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to withdraw this bill and pass it over without prejudice. Is there objection?

There was no objection.

#### INTERMARRIAGE OF WHITE AND NEGRO RACES IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 1710) to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions.

The Clerk reported the bill, as follows:

*Be it enacted, etc.,* That from and after the passage of this act the intermarriage of white and negro persons within the District of Columbia shall be prohibited and each and every contract of marriage entered into between a white and negro person within the District of Columbia, shall be absolutely null and void, and for the purposes of this act any person having one-eighth of negro blood shall be deemed to be a negro.

Sec. 2. That each and every white and negro person violating the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than \$1,000 nor more than \$5,000, by imprisonment at hard labor for not less than one nor more than five years, or by both such fine and imprisonment, in the discretion of the trial court.

Sec. 3. That any officer of the District of Columbia, minister of the gospel, or other person who may willfully and knowingly render aid or assistance to any white and negro person in an attempt to violate the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than \$250 nor more than \$1,000, or by imprisonment at hard labor of not less than six months nor more than one year, or both, at the discretion of the trial court.

Sec. 4. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

With the following committee amendment:

Page 1, line 7, after the word "Columbia," insert "from and after the passage of this act."

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Drukker	Kinkaid, Nebr.	Plumley
Ainey	Dunn	Kinhead, N. J.	Porter
Allen	Eagan	Kitchin	Post
Anderson	Edmonds	Knowland, J. R.	Powers
Ashbrook	Elder	Kreider	Price
Austin	Falson	Lazaro	Reed
Avis	Falconer	L'Engle	Roberts, Nev.
Bailey	Fess	Leshner	Rothermel
Baltz	Fordney	Levy	Rupley
Barchfeld	George	Lewis, Pa.	Sabath
Bartlett	Gill	Lindquist	Scully
Barton	Gittins	Loft	Shackelford
Bell, Ga.	Glass	Logue	Sherley
Bowdle	Goldfogle	McClellan	Shreve
Brodbeck	Graham, Pa.	McGillcuddy	Smith, Md.
Bruckner	Gregg	McGuire, Okla.	Smith, N. Y.
Burke, Pa.	Griest	Manahan	Stanley
Cantor	Griffin	Metz	Stephens, Nebr.
Cantrill	Guernsey	Miller	Sutherland
Carew	Hamill	Morin	Taggart
Cary	Harris	Moss, Ind.	Talbott, Md.
Casey	Hart	Moss, W. Va.	Taylor, N. Y.
Chandler, N. Y.	Hayden	Mott	Ten Eyck
Clancy	Helgesen	Neeley, Kans.	Townsend
Claypool	Hinebaugh	Neely, W. Va.	Tuttle
Connolly, Iowa	Hoxworth	O'Brien	Vare
Conry	Igoe	Oglesby	Vollmer
Crosser	Johnson, Utah	O'Hair	Walsh
Dale	Jones	O'Shaunessy	Wilson, Fla.
Dickinson	Kelley, Mich.	Palmer	Wilson, N. Y.
Difenderfer	Kennedy, Iowa	Patten, N. Y.	Witherspoon
Dooling	Kennedy, R. I.	Peters	Woodruff
Doremus	Kettner	Peterson	Woods

The SPEAKER. On this roll call 292 Members, a quorum, responded to their names.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 1710) to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions.

*Be it enacted, etc.,* That from and after the passage of this act the intermarriage of white and negro persons within the District of Columbia shall be prohibited and each and every contract of marriage entered into between a white and negro person within the District of Columbia shall be absolutely null and void, and for the purposes of this act any person having one-eighth of negro blood shall be deemed to be a negro.

Sec. 2. That each and every white and negro person violating the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than \$1,000 nor more than \$5,000, by imprisonment at hard labor for not less than one nor more than five years, or by both such fine and imprisonment, in the discretion of the trial court.

Sec. 3. That any officer of the District of Columbia, minister of the gospel, or other person who may willfully and knowingly render aid or assistance to any white and negro person in an attempt to violate the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than \$250 nor more than \$1,000, or by imprisonment at hard labor of not less than six months nor more than one year, or both, at the discretion of the trial court.

Sec. 4. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

The committee amendment was read, as follows:

Page 1, line 7, after the word "Columbia," insert a comma and the words "from and after the passage of this act."

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to offer another committee amendment. I find on page 2, line 11, that the printer made an error by using the letter "r" instead of the letter "d," so it reads "air" instead of "aid," and I would move to substitute the letter "d" for the letter "r."

The SPEAKER. Is that an amendment to the amendment?

Mr. JOHNSON of Kentucky. It is not.

The SPEAKER. The vote will be first taken on the committee amendment which has been read.

The question was taken, and the committee amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Speaker, there is a typographical error on page 2, line 11. The printer has used the letter "r" instead of the letter "d," making it "air" instead of "aid."

The SPEAKER. Without objection, the amendment will be agreed to.

There was no objection.

The SPEAKER. Has the gentleman from Kentucky another amendment?

Mr. JOHNSON of Kentucky. No. The first committee amendment was agreed to.

The SPEAKER. But did not the gentleman from Kentucky have two amendments to correct the text?

Mr. JOHNSON of Kentucky. No; just the one suggested, Mr. Speaker.

Mr. Speaker, I yield the remainder of my time to the gentleman from Florida [Mr. CLARK].

Mr. TRIBBLE. Mr. Speaker, I have an amendment to offer.

The SPEAKER. The Chair will recognize the gentleman from Georgia at the proper time. The gentleman from Florida [Mr. CLARK] is recognized for 58 minutes.

Mr. CLARK of Florida. Mr. Speaker, it is not my purpose to discuss at any length this bill. It seems to me, Mr. Speaker, that the bill carries upon its face every possible argument in its favor, and I can not conceive how any Member of Congress can possibly object to the enactment of this legislation. It has obtained in a great many of the States, and the fact that it has not obtained in the District of Columbia long before this is a mystery to me. It seems to me, Mr. Speaker, that this is legislation in the interest of both of the races involved. If the negro has a future in the economy of the Universe, he ought to have it as a member of a distinctive race and not as a mongrel. So far as the white race is concerned, I believe the future of the world is dependent upon the preservation of its integrity. I am free to admit and I do admit and I am glad to admit that the negro since the day he was given his freedom has made great progress in this country, and no man and no set of men are any more glad of the fact than I and those of the section from which I hail; but, Mr. Speaker, the negro ought to desire, and I am sure the best element of his race does desire, that whatever progress they may make in this country, whatever progress they make in the world, may be made by their race as a distinctive race and not as an admixture of all the races. As I said, this legislation is in the interest of both, and ought to be placed upon the statute books, so that these races at the Capital of the country may maintain their own identity



and work out their own future under the laws of the country as best they can. As I said in the beginning, I do not care to enter into any lengthy discussion. I can not see how any Member upon the floor of this House can oppose it, and I shall not at this time take up the further time of the House. I want to say, however, Mr. Speaker, there is upon the statute books of this District a very stringent law for the punishment of bastardy. There is upon the statute books of this District a stringent law punishing the crime of seduction. That and the act which bears the name of the distinguished minority leader ought to protect females of any race against the vicious of their own or any other race. I mention these few thoughts, Mr. Speaker, and now I desire to yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] is recognized for 10 minutes.

Mr. MADDEN. Mr. Speaker, I am opposed to intermarriage of the races. The negroes themselves are opposed to such marriages. But I am opposed to legislation making such marriages a crime. If a white man and a black woman want to marry, it should be a matter for them to decide. I think they would both be foolish to thus ostracize themselves from association with their own people, and that is what they do when they marry. But if they want to ostracize themselves, that is a personal matter between them, and should be.

To make such marriages criminal and void would leave the children of such marriages without the protection which they need and should have. Instead of bettering the moral conditions such a law would make them worse. It would leave many young girls at the mercy of brutes willing to take advantage of their virtue and then desert them to a life of shame. I can not conceive of a condition under which a white man should be allowed to cohabit with a black woman not his wife without being compelled by law to marry her or provide for the care of their children. Why should innocent women of the negro race not have the same protection of the law which is accorded to women of any other race? It will not do to say there is no such condition as that to which I have alluded. Everyone knows better, else how does it happen that we have so many people of mixed blood in the United States.

The negroes are willing to confine their marriages to their own race, indeed they would prefer that, but they have a right to demand that the women of their race shall not be considered the legitimate prey of the men of other races. [Applause.] If marriage between the Negro and Caucasian is so abhorrent as to some it seems to be, why do so many of the Caucasian men insist on taking undue liberties with the defenseless Negro women? Why do they insist on mixing the blood of the races? If the blood of both races can be kept pure by law, all right; but who can assure it? By all means, if we are to have a law against mixed marriages, that law should provide for arrest and prosecution for bastardy, so that it will be possible to expose those who boast of the purity of their blood while they continue clandestinely and illegally to cohabit with those against whom this law is directed.

Let the law of marriage stand as it is, and trust to the pride of race both among the Negroes and Caucasians to contract their marriages with their own people. The purpose of this law is to further degrade the negro, to make him feel the iron hand of tyranny so long practiced against his race.

We should do all we can to combat the spirit of persecution and prejudice which confronts the negroes of this country and to assure to them every right, privilege, and opportunity to which every citizen of the United States is entitled. The negroes ask no favors, no privileges, no special advantages. They ask no indulgence for their shortcomings, or any unusual economic and educational opportunities. They ask only equal opportunity—equality in the courts of the land. We should bestir ourselves to aid the negroes, not embarrass them or shame them. We should make them feel that they are a useful and desirable part of our people. No other people has ever made greater progress under like conditions. They have increased in numbers from 1863 to 1915 from 4,500,000 to 10,000,000. They have advanced from almost total illiteracy since emancipation until to-day 70 per cent can read and write. They have among them musicians, artists, doctors, lawyers, mechanics, artisans, agriculturists, bankers, educators, preachers, merchants, and are engaged in every useful occupation. They have accumulated property valued at \$700,000,000—\$70 per capita—a marvelous showing, a greater showing, indeed, than has ever been made before anywhere during all civilization. No other emancipated people have ever made so great a progress in so short a time.

We should remember that the negroes constitute one-tenth of our population, that they are a God-loving and law-abiding

people who should be encouraged in their efforts to reach a higher moral standard. We should help the negro to help himself.

We should not continue to put the stamp of our disapproval upon him and cast him adrift and discourage him in an effort to reach that moral standard for which we all hope and continue to pray. The enactment of this law will do that, and will be one more step backward, which should never be taken by a Congress representing the people of America. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has 40 minutes left.

Mr. CLARK of Florida. Mr. Speaker, I yield 15 minutes to the gentleman from Iowa [Mr. PROUTY].

The SPEAKER. The gentleman from Iowa [Mr. PROUTY] is recognized for 15 minutes.

Mr. PROUTY. Mr. Speaker, this is another of those "nostrums" that have been presented by the District Committee to this House which have been receiving the criticism of some Members of this House. A short time ago this House passed an amendment to the appropriation bill to some extent modifying and destroying what is commonly known as the sacred "half-and-half" principle. A few nights after that a meeting of the citizens in Washington was called together for the purpose of renouncing and denouncing the action of this House, and especially attacking the District Committee that is now reporting another one of these bills for the betterment, as I think, of the District of Columbia. I wish to send to the Clerk's desk and have read the part of a newspaper that I have marked as a basis for a few observations which I shall make.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

[Washington Evening Star of January 6, 1915.]

NOSTRUMS TRIED UPON THE DISTRICT—POLITICAL EXPERIMENT STATION OF NATION, SAYS REPRESENTATIVE MOORE—FOE OF ANY CHANGES IN HALF-AND-HALF PLAN.

BREEDING SPOT FOR NOSTRUMS.

"The District is the breeding spot for legislative nostrums that were created in the brains of gentlemen whose ideas do not always conform to the Constitution," declared Representative MOORE. "I am one who for the last three years have sat in Congress in utter amazement. A gentleman comes in from Iowa, after a large experience on the farm, and assumes that everything is wrong in the District of Columbia. A gentleman comes in from Oklahoma and says, 'I'll say things about 'em that will make the folks down home think I am some pumpkins.'"

"You will have to be patient, for these gentlemen who have come to govern you are the descendants of our colonial forefathers who have gone away and come back to find that the old home is all wrong."

Mr. PROUTY. Mr. Speaker, I have no doubt that Members of this House will recognize that I am one of the fellows referred to in that remark. [Laughter.] I plead guilty to having taken a somewhat active part in trying to foist upon the District some of these "nostrums." I confess that I have taken quite an active part in helping to reform the tax laws of the District of Columbia. During all that time I have been subject to severe criticism and characterization and cartoons, against which I have never raised my voice.

But now that a charge so grave and so serious is preferred against this House, and myself in particular, by a Member of this House, not in the House, I feel that I can not quite constrain myself to keep still. What is the charge? That this House is dealing in nostrums—dangerous, obnoxious nostrums. I do not question the gentleman's right upon the floor of the House to criticize the Members of the House, but I do kindly suggest to him the impropriety, at least, and lack of courtesy in going down town to a meeting and attacking Members of Congress when they are not present and have no chance to reply. [Applause.] But I shall not discuss that question. I am going to leave that for the gentleman's own meditation and decision.

But he charges me with a very serious offense. He charges me with being "a farmer." [Laughter.] Now, if that accusation came from almost any other Member of this House I would consider it the compliment of my life, but coming from a man who, by his oft expressions on this floor, reveals his conception of the inferiority of that real yeomanry called "farmers" in this House, I can not accept his designation without some little resentment. [Laughter.]

But now what have I done? What has indicated that I was a farmer? I do not look like a farmer. My hands are not calloused. [Laughter.] I would, however, consider myself honored if I did belong to that class; but I am, unfortunately, something like the gentleman who thus attacked me—I have been devoting my life to other subjects and other pursuits.

But what is the charge, stripped of all its foliage, that he has lodged against me? Undoubtedly when he was hunting for a belittling name that he could apply to me he thought over the meanest thing that he could command. [Laughter.] He did not call me a liar or a thief or a fool, or anything of that



kind. He thought those too mild. He said to himself, "I will just brand him as a 'farmer,' a 'Reuben' from the far West." [Laughter.]

Mr. MURDOCK. Getting \$1.60 for wheat. [Laughter.]

Mr. PROUTY. Now, Mr. Speaker, I am not going to parade my knowledge of the affairs of the District. The gentleman indicated that we were a lot of Reubens from the West who had strayed away from here and had come back here and thought we could reform things in the District. I have spent three hard years in investigating the affairs of the District of Columbia, and, without any boastfulness, I put my knowledge of the District of Columbia up against that of the distinguished gentleman who was appealing down town for the applause of the people of the District of Columbia. He may have some knowledge that I have not. He has professed knowledge about things here in this District on the floor of the House that I plead my ignorance of. [Laughter.] While I have been ignorant, I have not been quite able to understand whether he knows too much or too little about the District of Columbia. I admit I knew too little.

But now let us get down to concrete facts. What is the basis of this charge?

Mr. MOORE. Mr. Speaker—

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Pennsylvania?

Mr. PROUTY. With pleasure.

Mr. MOORE. Is the gentleman from Iowa making reference to me? Does he mean to say that I have charged him with any particular offense?

Mr. PROUTY. With being a farmer; yes.

Mr. MOORE. And is the gentleman serious about it?

Mr. PROUTY. I do not consider that is material. I refuse to answer. [Laughter.]

A few of us have been devoting considerable time to trying to right what we believed was a wrong in this District—a system of taxation that makes the people here bear but about one-half the burdens of taxation of the people at home. We have sought by all fair and honorable means to educate this House and these people. I do not know just exactly why a fellow should be accused of being a farmer on account of that. If so, it is a compliment, and I wish that there were some more farmers in this House and fewer bouquet chasers, so far as I am concerned. [Laughter.] The gentleman comes from Philadelphia. I mean the gentleman from Pennsylvania, Mr. Moore, so that he may not have any doubt as to whom I refer. He comes from a beautiful city, a city that not only since the beginning of this Government, but long before, was struggling to be a great and beautiful city. I have no doubt that the gentleman has pride in that, but does the gentleman know that his people whom he represents here upon the floor of this House pay more than twice the taxes that are paid by the people from whom he was seeking bouquets down there the other night? Does he know that in the District of Columbia a man does not pay any taxes upon his moneys and credits, while up in Philadelphia his people, the people who are trying to make Philadelphia beautiful, are paying taxes upon their moneys and credits? Does he know that in the city of Washington there is no inheritance tax, direct or collateral? Does he know that up in Philadelphia the people whom he represents, and represents ably in some lines, pay an inheritance tax? Does he know that the State of Pennsylvania is contributing \$567,000 annually as its pro rata in bearing the burdens that fall upon the people of the District of Columbia, while they are only bearing one-half of the burdens that his own people at home are carrying? Does he know that in the city of Philadelphia, in addition to the taxes the people have to pay in general, every man who owns a lot has to pay for the curbing, the sewerage, the sidewalks, and the pavement in front of that lot? Does he know that his people, thus taxed, have to come down here and pour into the treasury of the District of Columbia funds to lift this burden off the poor, downtrodden people in the city of Washington? [Applause.]

I shall not pursue this question further, but I say that the men who have stood here and fought to protect the rights of the people at home, including the people of Philadelphia, have at least a right to be attacked only on the floor of this House by their colleague from Philadelphia. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. Thirty minutes.

Mr. MOORE. Mr. Speaker, I rise to ask the gentleman from Florida [Mr. CLARK] in charge of this bill to yield to me as much time as he yielded to the gentleman from Iowa.

Mr. CLARK of Florida. Yes; I yield to the gentleman 15 minutes.

The SPEAKER. The gentleman from Iowa used only 10 minutes of his 15.

Mr. PROUTY. I yield the other five to the gentleman from Pennsylvania.

Mr. MOORE. Oh, no; the gentleman need not do that.

Mr. CLARK of Florida. I yield 10 minutes to the gentleman from Pennsylvania. That will be enough, will it not?

Mr. MOORE. Yes; that will be sufficient, I think.

Mr. CLARK of Florida. All right; I yield 10 minutes.

Mr. MOORE. Mr. Speaker, it is fair to the gentleman from Iowa [Mr. PROUTY] to say that a few minutes before 12 o'clock to-day he called me on the telephone and advised me to be present, informing me he had something to say that he desired me to hear. That was the fair and manly and statesmanlike thing to do. He did not want to say something about me when I was not in the House. I wondered what it was that he desired to say. He did not indicate what it was; and yet I suspected that possibly what he had in mind was due to a publication in one or two of the Washington newspapers recently about some remarks made by me at a meeting of what is called the Columbia Heights Citizens' Association.

It will be recalled that the District of Columbia has no representation upon this floor, and that about the only way in which the people of this District can express themselves is through these various citizens' associations.

I went reluctantly to this meeting, because I do not care to indulge too much in this sort of speech making, but I went to oblige some friends, and having gone there I concluded to say something. What I said appears to have been quoted. I did refer to the fact that there are a great many small States of this Union which, through no fault of their own, because the Constitution gives them that right, have a great deal to say in the Congress of the United States respecting the manner in which the larger States and the larger communities shall be governed. I did incidentally refer to the fact that 36 States of the Union can dominate 12 States that have a greater population, nearly all of the wealth, most of the manufactures, and most of the industries of the country. I did refer to a few of the States that have a peculiar power in this Government at this time, States like Nevada and Idaho, for instance, the total population of which does not exceed that of the single congressional district that I represent, which States have four United States Senators and three Members of the House of Representatives to look after them. They have no greater population than the District of Columbia, yet the District of Columbia has no representation upon this floor; and the gentleman from Iowa, who comes from a safe constituency, and gentlemen from other sections of the country, coming from constituencies that are perfectly safe upon questions affecting the District of Columbia, do take advantage of the fine opportunity they have here for original investigation, and they do present legislative nostrums here and compel us to vote upon them, whether we would or no.

Now, as to the gentleman's complaint: I did not make any serious accusation against the gentleman from Iowa. I have great personal respect for him, and I do not consider him a "rube" or a "farmer." [Laughter.] I am a farmer's son myself; I was born and brought up on a farm, but I never made the success the gentleman from Iowa has made of being "a farmer."

There are two sides to this question of "the farmer" and "the rube." Sometimes those of us who come from large cities have been accused of being unfair in our references to the farmers. Yet there are farmers and farmers; some good, some clever. I have always stood for the real and honest farmer. I have voted to protect his rights along with those of my own constituents. But as to "the other side" I send to the Clerk's desk an article from a Philadelphia newspaper published day before yesterday. It is strange it should appear at this time, because it shows that all men who profess to be farmers do not give their customers in the cities a square deal. The price of grain has gone up, and we are paying for it in the cities when we buy wheat and bread; in fact, everything that is manufactured in the great city industries to-day sells for a lower price than heretofore, while everything we buy to feed the city people, who have to come for their meals three times a day, is higher than ever before. I will ask the Clerk to read the article.

The Clerk read as follows:

HOLD UP 288,000 EGGS—SHIPMENT SAID TO BE 2 YEARS OLD CAN NOT BE SOLD HERE.

A shipment of 24,000 dozen eggs, alleged to be more than 2 years old, was held up yesterday by Special Agent Simmers, of the State dairy and food commission, at the Third and Berks Streets freight station of



the Philadelphia & Reading Railway. Mr. Simmers ordered that the eggs should not reach the consumer, and served notice on Nice & Schreiger, Willow and Water Streets, to whom the eggs were consigned, that he would give the firm one week to send the eggs out of the State. Mr. Simmers's action was in compliance with the law passed by the last legislature that eggs in storage more than eight months shall not be sold for public consumption. Mr. Simmers also notified the firm to collect 230 crates of eggs which had been distributed to retailers throughout the city. The 2-year-old eggs were shipped here from Dunlap, Iowa.

[Laughter.]

Mr. PROUTY. Will the gentleman yield?

Mr. MOORE. Certainly.

Mr. PROUTY. Is the gentleman from Pennsylvania now throwing rotten eggs at me? [Laughter.]

Mr. MOORE. It seems so, but the gentleman can interpret the article in his own way. I have had this article read merely to show that the gentleman or some of his constituents certainly know how to make a good, slick bargain; they know how to make us pay sometimes for their egg product of doubtful age that may have been in somebody's cellar or storage house for two years.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE. I will.

Mr. GREEN of Iowa. I suggest that the article in question simply shows the credulity—and I was almost going to say the absolute ignorance—of people dwelling in the cities with reference to matters in the country. Dunlap, Iowa, is in my district. It is a small town and never had a storage warehouse. It could not keep that quantity of eggs for two years, and the whole matter is an invention of some ingenious correspondent.

Mr. MOORE. I am glad to see that some one rises to defend this situation. [Laughter.] Apparently this question of rotten eggs does not appeal to any of the gentlemen from Iowa, and I did not think it would. So long as this farmer talk has come from one of the leading lights of Iowa, however, I thought it but fair that a statement should be made in justice to their customers in the city, who have no farmers' automobiles to ride in and who do not have the money to pay for farmers' eggs that are of dubious quality.

Now, Mr. Speaker, evidently the gentleman from Iowa, whom I did not personally attack—and I wish to say that no names were called in the desultory address that I made the other night—the gentleman from Iowa evidently has in mind one or two matters that are just a little unpleasant to him now. He has stood here as sponsor for several bills that have not been working out just as the gentleman from Iowa would have them. I can not mention the name of a representative in another body, because it is contrary to the rules of the House, but I think there is a little soreness over there also, as was revealed in a recent debate, due to the fact that some people are watching the progress of these nostrums brought into the House to be tried out on the District of Columbia, and are complaining that they are not quite as effective as they might have been.

One particular bill which was not introduced by the gentleman from Iowa, who has taken it upon himself to wear the boot that might have fitted other representatives of the State—and I did not refer to him or to anyone in particular in the speech of which he complains—the gentleman from Iowa, who has taken the boot, evidently is speaking for a distinguished member of another body. He seems to think—

The SPEAKER. The gentleman from Pennsylvania must not discuss Members at the other end of the Capitol.

Mr. MOORE. I will put this up to the distinguished gentleman from Iowa, and if he does not "get all the headlines" which he deserves—

Mr. PROUTY. Will the gentleman yield.

Mr. MOORE. Yes.

Mr. PROUTY. To relieve the gentleman from Pennsylvania from any embarrassment I will say that the bill he refers to was introduced by me in the House, and you can lay it all on me.

Mr. MOORE. The gentleman having relieved me of any possible violation of the rules of parliamentary procedure, I will say that I believe the gentleman is not quite satisfied in his own mind that the law for which he stood, but which does not bear his name, is not working out as he hoped it would.

There are several District of Columbia laws to which I might refer and characterize as "nostrums," but this one particular law for which the gentleman stood as sponsor and which he takes over to himself, though it does not bear his name, has had the effect of which I indicated recently, of driving out a certain class of undesirable residents in the District of Columbia and sending them into the respectable residential quarters, where they have been giving respectable people a great deal of trouble.

I do not care to go further with that matter than to say that yesterday, if reports in the paper be true, there was committed in the District of Columbia, or near by, one of the most atrocious murders that has ever occurred here, the murder of two men and the shooting of one of these unfortunate women who had moved from the city to a neighborhood section of the country—

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I am glad to hear the gentleman from Illinois say that he opposes intermarriage between negroes and whites, and I am glad to hear from him that the negroes themselves oppose such marriages. I wish I could believe the latter part of his statement. Unfortunately I know it is not true. Some negroes may oppose the hybridization of their race. Many profess to oppose it, but usually in a spirit of defiance or for political purposes. The gentleman from Illinois being a well-read and highly informed man presumably opposes it, because he knows it to be bad for both races. This must be his position, and yet he says there should be no law on the subject, and that it should be left to the blacks and whites themselves to determine whether such marriages shall occur.

Why, Mr. Speaker, we do not even allow the beasts of the field freedom to hybridize in that way, and how infinitely more important it is that the breeding of men should be intelligently controlled? But if he is right and the negroes want to prevent the production of mongrels, why not gratify them by giving them this law?

If the gentleman were as familiar as I am with the real conditions in southern communities, where there are many more negroes with much less political importance than there are in Chicago, he would know that what ought to be regarded as a badge of shame is really looked upon by many negroes as an advantage, and that difference in complexion makes the difference in the social rank, the substratum of negro society being the blacker members of the race.

I want purity of race for the good of both races. The thoroughbred is better than the mongrel in all forms of animal life.

The gentleman is right when he says that the negroes in the United States have advanced astonishingly. I am glad to hear it. I have nothing but kindly feeling for them, and I always insist upon justice for them. They have advanced amazingly, but only in the United States or in certain West Indian Islands where they have lived under analogous conditions. They have prospered when basking in the sunshine of the white man's presence and when their society has been stimulated by the white man's mind.

Have they made a corresponding advance elsewhere? The gentleman may read the answer in the history of Liberia, Haiti, Santo Domingo, and in the centuries-old, undisturbed savagery of nearly all the African Continent.

Mr. CLARK of Florida. Mr. Speaker, I now move the previous question on the bill as amended to final passage.

The SPEAKER. The Chair will ask the gentleman to withhold that motion for a moment. The Chair will state to the gentleman that he promised to recognize the gentleman from Georgia [Mr. TRIBBLE]—and the Chair is not certain but that he should have recognized him at the time—and the gentleman from California [Mr. HAYES], both to offer amendments; and if the gentleman will withhold the motion for a moment, until the Chair can recognize these gentlemen, the Chair will be obliged to him.

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. Twenty minutes.

Mr. CLARK of Florida. Mr. Speaker, I fear I must insist upon my motion for the previous question on the bill as amended to final passage.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman withhold his motion until I can ask him a question about the bill, for information?

Mr. CLARK of Florida. I will withhold the motion for a moment in order that I may answer the gentleman's question.

Mr. HUMPHREY of Washington. Mr. Speaker, I wish to ask the gentleman how many of these marriages there are in the District? What is the extent of this practice?

Mr. CLARK of Florida. Mr. Speaker, I do not know how many there are, but they are very considerable, and there ought not to be any.

Mr. HUMPHREY of Washington. I wanted to know whether the gentleman knew. I am asking for information.

Mr. CLARK of Florida. It is getting worse all of the time.

The SPEAKER. The gentleman from Florida moves the previous question on the bill and amendments to final passage.

Mr. CLARK of Florida. Mr. Speaker, I understand that the committee amendments have been adopted. I now move the previous question on the bill as amended to final passage.

The SPEAKER. The question is on the motion of the gentleman from Florida on ordering the previous question on the bill as amended.

Mr. RAKER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. Mr. Speaker, I would like to state to the gentleman that I have prepared here four amendments which I would like to offer to the bill.

Mr. CLARK of Florida. Mr. Speaker, I shall have to insist on the motion. This bill is intended only to cover one feature of this case.

Mr. RAKER. Mr. Speaker, may I have my proposed amendments printed in the RECORD?

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the motion of the gentleman from Florida on ordering the previous question.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 83, noes 53.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

Mr. DONOVAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Connecticut makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on ordering the previous question.

The question was taken; and there were—yeas 175, nays 119, answering "present" 1, not voting 129, as follows:

## YEAS—175.

Abercrombie	Dixon	Hill	Quin
Adair	Donohoe	Hobson	Ragsdale
Adamson	Doolittle	Holland	Rainey
Aiken	Doremus	Houston	Rauch
Alexander	Doughton	Howard	Rayburn
Ashbrook	Driscoll	Hughes, Ga.	Reilly, Wis.
Aswell	Dupré	Hull	Rouse
Baker	Eagle	Humphreys, Miss.	Rubey
Barkley	Edwards	Jacoway	Rucker
Barnhart	Estopinal	Johnson, Ky.	Russell
Beall, Tex.	Fergusson	Kennedy, Conn.	Seldomridge
Blackmon	Ferris	Kettner	Sherley
Borchers	Fields	Key, Ohio	Sims
Borland	Finley	Kirkpatrick	Sisson
Breckson	Fitzgerald	Konop	Slayden
Brown, N. Y.	FitzHenry	Korbly	Slemp
Brown, W. Va.	Flood, Va.	Lee, Ga.	Small
Brumbaugh	Floyd, Ark.	Lee, Pa.	Smith, Tex.
Buchanan, Ill.	Foster	Lever	Sparkman
Buchanan, Tex.	Fowler	Lewis, Md.	Stedman
Burgess	Francis	Lieb	Stephens, Miss.
Burke, Wis.	French	Linthicum	Stephens, Tex.
Burnett	Gard	Lloyd	Stone
Byrnes, S. C.	Garner	Lobeck	Stout
Byrns, Tenn.	Garrett, Tenn.	McKellar	Stringer
Candler, Miss.	Garrett, Tex.	Maguire, Nebr.	Summers
Cantrill	Gill	Mahan	Taylor, Ala.
Caraway	Gittins	Mitchell	Taylor, Ark.
Carr	Goodwin, Ark.	Montague	Thomas
Carter	Gordon	Moon	Thompson, Okla.
Church	Goulden	Morgan, La.	Tribble
Clark, Fla.	Graham, Ill.	Morrison	Underhill
Cline	Gray	Moss, Ind.	Underwood
Coady	Gregg	Mulkey	Vaughan
Collier	Gudger	Murray	Vinson
Connelly, Kans.	Hamlin	Oldfield	Walker
Connolly, Iowa	Hardy	O'Shaunessy	Watkins
Crisp	Harris	Padgett	Watson
Cullop	Harrison	Page, N. C.	Weaver
Davenport	Hay	Palmer	Webb
Dent	Hayden	Park	Whaley
Dershem	Heilin	Peterson	Williams
Dickinson	Henry	Post	Wingo
Dies	Hensley	Pou	

## NAYS—119.

Anderson	Copley	Garner	Helvering
Anthony	Cramton	Gerry	Hinds
Barton	Curry	Gillett	Howell
Beakes	Danforth	Gilmore	Hughes, W. Va.
Bell, Cal.	Davis	Good	Hullings
Britten	Defrick	Gorman	Humphrey, Wash.
Browne, Wis.	Dillon	Green, Iowa	Johnson, Wash.
Browning	Donovan	Greene, Mass.	Kahn
Bryan	Esch	Greene, Vt.	Keating
Bulkley	Fairchild	Hamill	Kelster
Burke, S. Dak.	Farr	Hamilton, Mich.	Kelly, Pa.
Butler	Fordney	Hamilton, N. Y.	Kless, Pa.
Caldor	Frear	Hawley	Lafferty
Campbell	Gallagher	Hayes	La Follette
Cooper	Gallivan	Helgesen	Langham

Langley  
Lenroot  
Lindbergh  
Loneragan  
McAndrews  
McGillcuddy  
McKenzie  
McLaughlin  
Madden  
Mann  
Mapes  
Miller  
Moore  
Morgan, Okla.  
Murdock

Neeley, Kans.  
Nolan, J. I.  
Norton  
Paige, Mass.  
Parker, N. J.  
Parker, N. Y.  
Patton, Pa.  
Phelan  
Platt  
Plumley  
Porter  
Prouty  
Raker  
Reed  
Reilly, Conn.

Riordan  
Roberts, Mass.  
Rogers  
Sabath  
Sherwood  
Sinnott  
Sloan  
Smith, Idaho  
Smith, J. M. C.  
Smith, Minn.  
Smith, Saml. W.  
Stafford  
Steenerson  
Stephens, Cal.  
Stevens, Minn.

Stevens, N. H.  
Sutherland  
Switzer  
Tavener  
Temple  
Thacher  
Thomson, Ill.  
Towne  
Treadway  
Volstead  
Wallin  
Walters  
Winslow  
Young, N. Dak.

## ANSWERING "PRESENT"—1.

Kinkaid, Nebr.

## NOT VOTING—129.

Ainey	Drukker	Kitchin	Rupley
Allen	Dunn	Knowland, J. R.	Saunders
Austin	Eagan	Kreider	Scott
Avis	Edmonds	Lazaro	Scully
Bailey	Elder	L'Engle	Sells
Baltz	Evans	Leshner	Shackelford
Barchfeld	Faison	Levy	Shreve
Bartholdt	Falconer	Lewis, Pa.	Smith, Md.
Bartlett	Fess	Lindquist	Smith, N. Y.
Bathrick	George	Loft	Stanley
Bell, Ga.	Glass	Logue	Stephens, Nebr.
Booher	Godwin, N. C.	McClellan	Taggart
Bowdle	Goeke	McGuire, Okla.	Talbott, Md.
Brodbeck	Goldfogle	MacDonald	Talcott, N. Y.
Broussard	Graham, Pa.	Maher	Taylor, Colo.
Bruckner	Griest	Manahan	Taylor, N. Y.
Burke, Pa.	Griffin	Martin	Ten Eyck
Callaway	Guernsey	Metz	Townsend
Cantor	Hart	Mondell	Tuttle
Carew	Haugen	Morin	Vare
Carlin	Helm	Moss, W. Va.	Vollmer
Cary	Hinebaugh	Mott	Walsh
Casey	Hoxworth	Neely, W. Va.	Whitacre
Chandler, N. Y.	Igoe	Nelson	White
Clancy	Johnson, S. C.	O'Brien	Wilson, Fla.
Claypool	Johnson, Utah	Oglesby	Wilson, N. Y.
Conry	Jones	O'Hair	Witherspoon
Cox	Kelley, Mich.	Patten, N. Y.	Woodruff
Crosser	Kennedy, Iowa	Peters	Woods
Dale	Kennedy, R. I.	Powers	Young, Tex.
Decker	Kent	Price	
Difenderfer	Kindel	Roberts, Nev.	
Dooling	Kinkaid, N. J.	Rothermel	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. BELL of Georgia with Mr. GRIEST.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. IGOE with Mr. MOTT.

Mr. BARTLETT with Mr. BARCHFELD.

Mr. BATHRICK with Mr. AINEY.

Mr. BOOHER with Mr. BARTHOLDT.

Mr. BROUSSARD with Mr. DUNN.

Mr. BRUCKNER with Mr. CARY.

Mr. CAREW with Mr. BURKE of Pennsylvania.

Mr. ALLEN with Mr. CHANDLER of New York.

Mr. CALLAWAY with Mr. AUSTIN.

Mr. CARLIN with Mr. AVIS.

Mr. CASEY with Mr. EDMONDS.

Mr. CONRY with Mr. FESS.

Mr. DALE with Mr. GRAHAM of Pennsylvania.

Mr. DECKER with Mr. GUERNSEY.

Mr. DOOLING with Mr. HAUGEN.

Mr. EAGAN with Mr. HINEBAUGH.

Mr. FAISON with Mr. JOHNSON of Utah.

Mr. GLASS with Mr. KELLEY of Michigan.

Mr. GODWIN of North Carolina with Mr. KENNEDY of Rhode Island.

Mr. GOLDFOGLE with Mr. KENNEDY of Iowa.

Mr. GRIFFIN with Mr. KINKAID of Nebraska.

Mr. HART with Mr. J. R. KNOWLAND.

Mr. JOHNSON of South Carolina with Mr. KREIDER.

Mr. JONES with Mr. LEWIS of Pennsylvania.

Mr. KITCHIN with Mr. MARTIN.

Mr. LAZARO with Mr. MCGUIRE of Oklahoma.

Mr. LESHNER with Mr. MANAHAN.

Mr. LOFT with Mr. MONDELL.

Mr. MAHER with Mr. MORIN.

Mr. NEELY of West Virginia with Mr. MOSS of West Virginia.

Mr. PATTEN of New York with Mr. NELSON.

Mr. PRICE with Mr. PETERS.

Mr. SCULLY with Mr. POWERS.

Mr. SMITH of New York with Mr. LINDQUIST.

Mr. STEPHENS of Nebraska with Mr. SCOTT.

Mr. TAGGART with Mr. SHREVE.

Mr. TALBOTT of Maryland with Mr. VARE.

Mr. TAYLOR of Colorado with Mr. WOODS.

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will unlock the doors.



## LEAVE OF ABSENCE.

The SPEAKER laid before the House the following personal request:

HANOVER, PA., January 11, 1915.

Hon. CHAMP CLARK,  
Speaker House of Representatives:

I respectfully ask leave of absence for several days on account of illness.

A. R. BRODBECK.

The SPEAKER. Without objection, it is so ordered.  
There was no objection.

## INTERMARRIAGE OF WHITE AND NEGRO RACES IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The question is on the engrossment and third reading.

Mr. HEFLIN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Not on the third reading?

Mr. HEFLIN. No; not on the third reading.

Mr. RUCKER. Mr. Speaker, I ask for the yeas and nays on this vote.

The SPEAKER. Does the gentleman demand the yeas and nays on the third reading?

Mr. RUCKER. That is what I do; yes, sir.

The SPEAKER. Why, of course there is no doubt about the gentleman's right.

The question was taken, and the yeas and nays were refused.

The bill was ordered to be engrossed and read a third time; was read the third time.

Mr. RAKER. Mr. Speaker—

Mr. MANN. Mr. Speaker, I move to recommit the bill.

Mr. RUCKER. Mr. Speaker—

Mr. RAKER. Mr. Speaker—

The SPEAKER. The gentleman from Missouri.

Mr. RUCKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER. Is it proper now to demand a reading of the engrossed reading of this bill?

The SPEAKER. The Chair did not understand the gentleman.

Mr. RUCKER. Is this the proper time to demand a reading of the engrossed copy of the bill?

The SPEAKER. It is too late. The gentleman from Illinois [Mr. MANN] moves to recommit this bill. Is the gentleman opposed to it?

Mr. MANN. I am.

Mr. RAKER. Mr. Speaker—

The SPEAKER. The gentleman from California.

Mr. RAKER. Does a motion to recommit with specific instructions have precedence over a motion simply to recommit?

The SPEAKER. The gentleman can amend the motion to recommit.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. FOSTER. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. RAKER. I offer to amend the motion to recommit, Mr. Speaker.

The SPEAKER. But two gentlemen moved the previous question on the motion to recommit. The question is on the previous question on the motion of the gentleman from Illinois to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays on that motion.

The SPEAKER. The gentleman from Missouri demands the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recommit, and the Clerk will call the roll.

The question was taken; and there were—yeas 90, nays 201, answered "present" 1, not voting 132, as follows:

## YEAS—90.

Anderson	Copley	Gillett	Humphrey, Wash.
Barchfield	Crosser	Gilmore	Johnson, Wash.
Barton	Danforth	Good	Kahn
Bell, Cal.	Davis	Green, Iowa	Kelly, Pa.
Britten	Deltrick	Greene, Mass.	Kiess, Pa.
Browne, Wis.	Donovan	Greene, Vt.	Lafferty
Browning	Esch	Hamilton, Mich.	La Follette
Bulkley	Fairchild	Hamilton, N. Y.	Langham
Burke, S. Dak.	Farr	Hawley	Lenroot
Butler	Fordney	Helgesen	Lindbergh
Calder	French	Howell	McAndrews
Campbell	Gallagher	Hughes, W. Va.	McKenzie
Copper	Gardner	Hulings	Madden

Mann  
Martin  
Miller  
Mondell  
Moore  
Nelson  
Norton  
Paige, Mass.  
Parker, N. J.  
Parker, N. Y.

Patton, Pa.  
Platt  
Plumley  
Porter  
Riordan  
Roberts, Mass.  
Rogers  
Sabath  
Sherwood  
Sloan

Smith, Idaho  
Smith, J. M. C.  
Smith, Minn.  
Stafford  
Steenerson  
Stevens, Minn.  
Sutherland  
Switzer  
Temple  
Thacher

Thomson, Ill.  
Townner  
Treadway  
Volstead  
Wallin  
Walters  
Winslow  
Young, N. Dak.

## NAYS—201.

Abercrombie  
Adair  
Adamson  
Aiken  
Alexander  
Anthony  
Ashbrook  
Aswell  
Baker  
Barkley  
Barnhart  
Beakes  
Beall, Tex.  
Blackmon  
Borchers  
Borland  
Bowdle  
Brockson  
Brown, N. Y.  
Brumbaugh  
Bryan  
Buchanan, Ill.  
Buchanan, Tex.  
Burgess  
Burke, Wis.  
Burnett  
Byrnes, S. C.  
Byrnes, Tenn.  
Candler, Miss.  
Cantrill  
Caraway  
Carlin  
Carr  
Carter  
Clark, Fla.  
Cline  
Coady  
Collier  
Connolly, Kans.  
Connolly, Iowa  
Cox  
Crisp  
Curry  
Davenport  
Decker  
Dent  
Dershem  
Dickinson  
Dies  
Dillon  
Dixon

Donohoe  
Doolittle  
Doremus  
Doughton  
Driscoll  
Dupré  
Eagle  
Edwards  
Estopinal  
Fergusson  
Ferris  
Fields  
Finley  
FitzHenry  
Flood, Va.  
Floyd, Ark.  
Foster  
Francis  
Frear  
Gallivan  
Gard  
Garner  
Garrett, Tenn.  
Garrett, Tex.  
Gerry  
Gittins  
Godwin, N. C.  
Goodwin, Ark.  
Gordon  
Gorman  
Goulden  
Graham, Ill.  
Gray  
Gregg  
Gudger  
Hamlin  
Hardy  
Harris  
Harrison  
Hay  
Hayden  
Hedin  
Helm  
Helvering  
Henry  
Hensley  
Hill  
Hobson  
Holland  
Houston  
Howard

Hughes, Ga.  
Hull  
Humphreys, Miss.  
Jacoway  
Johnson, Ky.  
Keating  
Kennedy, Conn.  
Kettner  
Key, Ohio  
Kirkpatrick  
Konop  
Korby  
Lee, Ga.  
Lee, Pa.  
Lever  
Lieb  
Linthicum  
Lobeck  
Lonergan  
McGillcuddy  
McKellar  
McLaughlin  
Maguire, Nebr.  
Mahan  
Mapes  
Mitchell  
Montague  
Moon  
Morgan, Okla.  
Morrison  
Moss, Ind.  
Mulkey  
Murray  
Neeley, Kans.  
Nolan, J. I.  
Oldfield  
O'Shaunessy  
Padgett  
Page, N. C.  
Palmer  
Park  
Peterson  
Phelan  
Pou  
Prouty  
Quin  
Ragsdale  
Rainey  
Raker  
Rayburn  
Reed

Reilly, Conn.  
Reilly, Wis.  
Rouse  
Rubey  
Russell  
Seldomridge  
Sells  
Sherley  
Sims  
Sinnott  
Sisson  
Slayden  
Slomp  
Small  
Smith, Saml. W.  
Smith, Tex.  
Sparkman  
Stedman  
Stephens, Miss.  
Stephens, Tex.  
Stevens, N. H.  
Stone  
Stringer  
Summers  
Taggart  
Talcott, N. Y.  
Tavener  
Taylor, Ala.  
Taylor, Ark.  
Taylor, Colo.  
Thomas  
Thompson, Okla.  
Tribble  
Underhill  
Underwood  
Vaughan  
Vinson  
Vollmer  
Walker  
Watkins  
Watson  
Weaver  
Webb  
Whaley  
White  
Williams  
Wingo  
Young, Tex.

## ANSWERED "PRESENT"—1.

Kinkaid, Nebr.

## NOT VOTING—132.

Ainey  
Allen  
Austin  
Avis  
Bailey  
Baltz  
Bartholdt  
Bartlett  
Bathrick  
Bell, Ga.  
Booher  
Brodbeck  
Broussard  
Brown, W. Va.  
Bruckner  
Burke, Pa.  
Callaway  
Cantor  
Carew  
Cary  
Casey  
Chandler, N. Y.  
Church  
Clancy  
Claypool  
Conry  
Cramton  
Cullop  
Dale  
Delfenderfer  
Dooling  
Drukker  
Dunn

Eagan  
Edmonds  
Elder  
Evans  
Faison  
Falconer  
Fess  
Fitzgerald  
Fowler  
George  
Gill  
Glass  
Goeke  
Goldfogle  
Graham, Pa.  
Griest  
Griffin  
Guernsey  
Hamill  
Hart  
Haugen  
Hayes  
Hinds  
Hinebaugh  
Hoxworth  
Igoe  
Johnson, S. C.  
Johnson, Utah  
Jones  
Kelster  
Kelley, Mich.  
Kennedy, Iowa  
Kennedy, R. I.

Kent  
Kindel  
Kinkaid, N. J.  
Kitchin  
Knowland, J. R.  
Kreider  
Langley  
Lazaro  
L'Engle  
Leshner  
Levy  
Lewis, Md.  
Lewis, Pa.  
Lindquist  
Lloyd  
Loft  
Logue  
McClellan  
McGuire, Okla.  
MacDonald  
Maher  
Manahan  
Metz  
Morgan, La.  
Morin  
Moss, W. Va.  
Mott  
Murdock  
Neely, W. Va.  
O'Brien  
Oglesby  
O'Hair  
Patten, N. Y.

Peters  
Post  
Powers  
Price  
Rauch  
Roberts, Nev.  
Rothermel  
Rucker  
Rupley  
Saunders  
Scott  
Scully  
Shackleford  
Shreve  
Smith, Md.  
Smith, N. Y.  
Stanley  
Stephens, Cal.  
Stephens, Nebr.  
Stout  
Talbot, Md.  
Taylor, N. Y.  
Ten Eyck  
Townsend  
Tuttle  
Vare  
Walsh  
Whitacre  
Wilson, Fla.  
Wilson, N. Y.  
Witherspoon  
Woodruff  
Woods

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BARTLETT with Mr. AVIS.

Mr. PATEN of New York with Mr. GUERNSEY.

Mr. KITCHIN with Mr. HAYES.

Mr. BROWN of West Virginia with Mr. KENNEDY of Iowa.

Mr. EVANS with Mr. SHREVE.

Mr. FITZGERALD with Mr. WOODS.

Mr. LEWIS of Maryland with Mr. CRAMTON.

Mr. LLOYD with Mr. HINDS.

Mr. MORGAN of Louisiana with Mr. KEISTER.

Mr. SHACKLEFORD with Mr. LANGLEY.

Mr. LEVY with Mr. STEPHENS of California.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. CLARK of Florida rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. In order to save time, Mr. Speaker,

I demand the yeas and nays on the passage of the bill.

The SPEAKER. The gentleman from Florida [Mr. CLARK] demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of passing this bill will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 238, nays 60, not voting 126, as follows:

#### YEAS—238.

Abercrombie	Donovan	Humphreys, Miss.	Reilly, Wis.
Adair	Dooling	Jacoway	Riordan
Adamson	Doolittle	Johnson, Ky.	Rogers
Aiken	Doremus	Johnson, S. C.	Rouse
Alexander	Doughton	Keating	Ruby
Ashbrook	Driscoll	Kennedy, Conn.	Russell
Aswell	Dupré	Key, Ohio	Seldemridge
Avis	Eagle	Kiess, Pa.	Sells
Bailey	Edwards	Kinkaid, Nebr.	Sherley
Baker	Estopinal	Kirkpatrick	Sims
Barkley	Fergusson	Kitchin	Sinnot
Barnhart	Ferris	Konop	Sisson
Bartlett	Fields	Korby	Slayden
Barton	Finley	Langley	Slemp
Beakes	FitzHenry	Lee, Ga.	Sloan
Beall, Tex.	Flood, Va.	Lee, Pa.	Small
Bell, Cal.	Floyd, Ark.	Lever	Smith, Idaho
Blackmon	Fordney	Lewis, Md.	Smith, N. Y.
Borchers	Foster	Lieb	Smith, Saml. W.
Borland	Fowler	Lloyd	Smith, Tex.
Bowdie	Francis	Lobeck	Sparkman
Britten	Frear	Loneragan	Stedman
Brockson	French	McAndrews	Stephens, Cal.
Brown, N. Y.	Gallagher	McGillcuddy	Stephens, Miss.
Brumbaugh	Gallivan	McKellar	Stephens, Nebr.
Bryan	Gard	McKenzie	Stephens, Tex.
Buchanan, Ill.	Garner	McLaughlin	Stevens, N. H.
Buchanan, Tex.	Garrett, Tenn.	Maguire, Nebr.	Stone
Burgess	Garrett, Tex.	Mahan	Stout
Burke, Wis.	Godwin, N. C.	Mapes	Stringer
Burnett	Goodwin, Ark.	Martin	Summers
Byrnes, S. C.	Gordon	Mitchell	Sutherland
Byrns, Tenn.	Gorman	Montague	Taggart
Candler, Miss.	Goulden	Moon	Tavener
Cantrill	Graham, Ill.	Morgan, Okla.	Taylor, Ala.
Caraway	Gray	Moss, Ind.	Taylor, Ark.
Carlin	Greene, Vt.	Mulkey	Taylor, Colo.
Carr	Gregg	Murray	Thomas
Carter	Gudger	Neeley, Kans.	Thompson, Okla.
Church	Hamlin	Nolan, J. I.	Treadway
Clark, Fla.	Hardy	Oldfield	Tribble
Cline	Harris	O'Shaunessy	Underhill
Coady	Harrison	Padgett	Underwood
Collier	Hay	Page, N. C.	Vaughan
Connelly, Kans.	Hayden	Paige, Mass.	Vinson
Connolly, Iowa	Hayes	Palmer	Vollmer
Cox	Heflin	Park	Walker
Cramton	Helm	Patton, Pa.	Watkins
Crisp	Helvering	Peterson	Watson
Curry	Henry	Phelan	Weaver
Davenport	Hensley	Plumley	Webb
Decker	Hill	Porter	Whaley
Deitrick	Hobson	Pou	White
Dent	Holland	Prouty	Williams
Dershem	Houston	Quin	Wingo
Dickinson	Howard	Ragsdale	Winslow
Dies	Howell	Rainey	Woods
Dillon	Hughes, Ga.	Raker	Young, Tex.
Dixon	Hughes, W. Va.	Rayburn	
Donohoe	Hull	Reed	

#### NAYS—60.

Anderson	Fairchild	Lafferty	Sherwood
Anthony	Farr	La Follette	Smith, J. M. C.
Barchfield	Gardner	Langham	Smith, Minn.
Browne, Wis.	Gerry	Lenroot	Stafford
Browning	Gillett	Lindbergh	Steenerson
Bulkley	Glimore	Madden	Stevens, Minn.
Burke, S. Dak.	Good	Mann	Switzer
Butler	Green, Iowa	Miller	Temple
Campbell	Greene, Mass.	Mondell	Thacher
Cooper	Hamilton, Mich.	Nelson	Thomson, Ill.
Copley	Helgesen	Norton	Towner
Crosser	Hinds	Parker, N. J.	Volstead
Danforth	Hulings	Platt	Wallin
Davis	Johnson, Wash.	Reilly, Conn.	Walters
Esch	Kelly, Pa.	Roberts, Mass.	Young, N. Dak.

#### NOT VOTING—126.

Ainey	Broussard	Casey	Dunn
Allen	Brown, W. Va.	Chandler, N. Y.	Eagan
Austin	Bruckner	Clancy	Edmonds
Baltz	Burke, Pa.	Claypool	Elder
Bartholdt	Calder	Conry	Evans
Bathrick	Callaway	Cullop	Faison
Bell, Ga.	Cantor	Dale	Falconer
Boeber	Carew	Difenderfer	Fess
Brodbeck	Cary	Drukker	Fitzgerald

George	Kelley, Mich.	Metz	Sabath
Gill	Kennedy, Iowa	Moore	Saunders
Gittins	Kennedy, R. I.	Morgan, La.	Scott
Glass	Kent	Morin	Scully
Goeke	Kettner	Morrison	Shackelford
Goldfogle	Kindel	Moss, W. Va.	Shreve
Graham, Pa.	Kinhead, N. J.	Mott	Smith, Md.
Griest	Knowland, J. R.	Murdock	Stanley
Griffin	Kreider	Neely, W. Va.	Talbot, Md.
Guernsey	Lazaro	O'Brien	Talcott, N. Y.
Hamill	L'Engle	Oglesby	Taylor, N. Y.
Hamilton, N. Y.	Leshner	O'Hair	Ten Eyck
Hart	Levy	Parker, N. Y.	Townsend
Haugen	Lewis, Pa.	Patten, N. Y.	Tuttle
Hawley	Lindquist	Peters	Vare
Hinebaugh	Linthicum	Post	Walsh
Hoxworth	Loft	Powers	Whitacre
Humphrey, Wash.	Logue	Price	Wilson, Fla.
Igoe	McClellan	Rauch	Wilson, N. Y.
Johnson, Utah	McGuire, Okla.	Roberts, Nev.	Witherspoon
Jones	MacDonald	Rothermel	Woodruff
Kahn	Maher	Rucker	
Keister	Manahan	Rupley	

So the bill was passed.

The Clerk announced the following additional pairs:

Mr. MORRISON with Mr. HUMPHREY of Washington.

Mr. FITZGERALD with Mr. GUERNSEY.

Mr. ELDER with Mr. CALDER.

Mr. SHACKLEFORD with Mr. HAMILTON of New York.

Mr. L'ENGLE with Mr. KAHN.

Mr. OGLESBY with Mr. HAWLEY.

Mr. ROTHERMEL with Mr. MOORE.

Mr. CALLAWAY. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. CALLAWAY. I got in after my name was called.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. CLARK of Florida, a motion to reconsider the last vote was laid on the table.

#### LEAVE TO EXTEND REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

Mr. CLARK of Florida. I ask unanimous consent that all Members who spoke on this bill may have leave to revise and extend their remarks.

The SPEAKER. For how long?

Mr. CLARK of Florida. Within five legislative days.

The SPEAKER. The gentleman from Florida [Mr. CLARK] asks unanimous consent that all gentlemen who spoke on this bill have five legislative days in which to extend their remarks. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Florida asks unanimous consent to revise and extend his remarks on the bill just passed. Is there objection?

There was no objection.

#### MINORITY VIEWS ON S. 2335.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent to present the views of the minority on the bill (S. 2335) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salvaged by American citizens and repaired in American shipyards.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to present the views of the minority on the bill S. 2335. Is there objection?

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, will that interfere with my calling up another District bill?

The SPEAKER. Not a bit in the world.

Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman how long a time he desires.

Mr. GREENE of Massachusetts. I should like to have five legislative days.

Mr. ALEXANDER. It is on the wrecking bill.



The SPEAKER. The gentleman asks unanimous consent that he may have five days in which to file a minority report on the bill indicated. Is there objection?

There was no objection.

#### KING THEOLOGICAL HALL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees; and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

*Be it enacted, etc.,* That the following persons be, and they and their successors as trustees are declared to be, the corporation of the King Theological Hall, established by act of Congress approved January 7, 1891, and the legal trustees thereof, namely: Alfred Harding, Randolph H. McKim, Richard P. Williams, George Williamson Smith, and William C. Rives. In such capacity said trustees, or their successors, are hereby authorized to convey all or any part of the real estate of said corporation, whether now owned or hereafter acquired.

Said trustees at any regular meeting may authorize any two of their number to execute a good and sufficient deed of conveyance of such real estate.

The trustees above named, or their successors, may, if they shall deem it necessary, increase their number from time to time, and determine by by-law the number required to constitute a quorum: *Provided,* That the whole number of trustees shall not exceed 15.

With the following committee amendment:

Page 2, line 3, after the word "meeting," insert the words "or any special meeting called for that purpose."

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield 15 minutes to the gentleman from Missouri [Mr. BORLAND].

The SPEAKER. The gentleman has only five minutes, and he can not yield that time.

Mr. BORLAND. Has not the gentleman an hour under the rule?

The SPEAKER. This bill is being considered in the House as in Committee of the Whole.

Mr. BORLAND. I ask unanimous consent that I may proceed for 15 minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for 15 minutes. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Speaker, at this late day, more than a century and a quarter after the adoption of the Federal Constitution, the question is seriously raised as to the power of the President to fill by appointment vacancies in the subordinate offices of the Government. In the recent cases in Missouri, New York, and New Jersey, the President has appointed during the recess of the Senate persons to fill Federal offices and issued to them commissions extending to the last day of the next succeeding session of the Senate. The power of the President to do this has been questioned and vague threats of impeachment have been made against him. It must occur to the mind of every thinking person that this question can not be a new one arisen for the first time in our constitutional history. In truth it is not a new one. It is thoroughly settled by an unbroken line of precedents and decisions that the President has the constitutional power of doing precisely what he did do. The Constitution provides, section 2, Article II, that the President "shall nominate, and by and with the advice and consent of the Senate, shall appoint" certain officers of the United States. It is further provided, however, in the same section, that—

The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of their next session.

This clause of the Constitution must be read and construed in connection with another clause of the same instrument, to wit, section 3, Article II, that the President "shall take care that the laws be faithfully executed." The constitutional power and duty of the President to see that the laws of the Union are faithfully executed is of equal dignity and constitutional force with the provision that the Senate shall have the right to confirm appointments. In fact it is of greater practical moment than the power of the Senate to confirm. It is absolutely vital to the continued existence of the Federal Government in every public emergency that the President have power to carry on in an orderly and proper manner the regular

functions of the Government. This necessarily includes the right to fill subordinate offices with suitable persons. In no other way can the constitutional power of the President to carry on the Government be exercised. It must be presumed conclusively that every minor office created by law is necessary for the discharge of public business and that a continued vacancy in that office is a derangement of the public functions more or less serious according to the exigencies of the case. On the other hand the power of the Senate to confirm was intended only as a constitutional check upon the President against unfit appointments and against any latent danger that the President would seek to govern through a personal machine. It could not have been intended by the framers of the Constitution to vest in the Senate power to keep offices unfilled. Much less could it have been intended to place a personal or political asset in the hands of individual Senators or to give them any vested right in the filling of such offices with men of their own personal selection.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. BORLAND. I am sorry to say I have not the time.

The SPEAKER. The gentleman declines to yield.

Mr. BORLAND. The exact contention now raised is that while the President may have the right by temporary appointment to fill up vacancies which have first occurred during a recess of the Senate he has no right to so fill vacancies which occurred during a session of the Senate and which have for any cause continued until the Senate was in recess. This position is wholly untenable either from a practical or legal standpoint. The question, has the President the power to make a recess appointment to fill a vacancy which existed during a previous session of Congress, has been answered in the affirmative, first by a long line of Executive precedents, commencing with President Monroe and including Presidents Jackson, Tyler, Polk, Pierce, Lincoln, Johnson, Grant, Hayes, Arthur, Harrison, Cleveland, Roosevelt, Taft, and Wilson; second, by a line of decisions of Attorneys General, commencing with that distinguished lawyer, William Wirt, and including Roger B. Taney, Caleb Cushing, William M. Evarts, Charles Devans, Benjamin H. Brewster, William H. Miller, Philander C. Knox, William H. Moody, and Henry W. Hoyt; third, by a line of precedents established by the Senate by acquiescing by confirmation of persons appointed during a recess of the Senate where the vacancy occurred during a previous session of the Senate. It is true that individual Members of the Senate have occasionally objected to the power, but the Senate itself has repeatedly acquiesced in it; fourth, by legislation of Congress which attempted to control the right of the President to make such appointments, thus recognizing the fact that he had and had exercised such a power; fifth, by judicial opinion as represented in the decision of Justice Wood, of the Supreme Court of the United States, sitting on the circuit of the northern district of Georgia. (Wood's Rep., vol. 4, pp. 491-496.)

The first opinion of an Attorney General on the subject was rendered by William Wirt to President Monroe on October 22, 1823. (1 Op. A. G., p. 412.) In this opinion it is said:

The President has power to fill during a recess of the Senate by temporary commission a vacancy that occurred by expiration of commission during a previous session of that body; the term in the Constitution "may happen during the recess" being equivalent to "may happen to exist during the recess," without which interpretation it could not be executed in its spirit, reason, and purpose.

The opinion further says:

The substantial purpose of the Constitution was to keep these offices filled, and powers adequate to this purpose were intended to be conveyed. But if the President shall not have the power to fill a vacancy thus circumstanced, the powers are inadequate to the purpose and the substance of the Constitution will be sacrificed to the dubious construction of its letter.

Our great Democratic President Andrew Jackson and his equally great Attorney General Roger B. Taney were of the same opinion. On July 19, 1832, Taney rendered an opinion to President Jackson, in which he said:

It has, I know, been contended that in order to enable the President to make the appointment the vacancy must take place during the recess. In order words, that the office must be full at the time of the adjournment of the Senate and become vacant afterwards. I can not think that this is the true interpretation of the article in question. The Constitution was formed for practical purposes, and a construction that defeats the very object of the grant of power can not be the true one. It was the intention of the Constitution that the offices created by law and necessary to carry on the operations of the Government should always be full, or, at all events, that the vacancy should not be a protracted one. A government can not go on nor accomplish the purposes for which it is established without having the services of proper officers to execute the various duties required by law. To guard against any abuse of the appointing power by the President the approbation of the Senate is required. But the control of the Senate over appointments to such vacancies is effectually preserved by the limited term for which the President is authorized to make them. (2 Op. A. G., 525.)



And Attorney General Williams rendered a similar opinion to President Grant:

The construction put upon the Constitution, giving the President power to "fill up all vacancies that may happen during the recess of the Senate by granting commissions that shall expire at the end of their next session," by former Attorneys General, namely, that it confers upon him full power to fill vacancies in the recess of the Senate, irrespective of the time when such vacancies first occurred, is considered now to be the settled interpretation of that clause with the Department of Justice. (14 Op. A. G., 562.)

I add at this point a somewhat full list of the various opinions of the Attorneys General which are uniform on this question:

President James Monroe: Attorney General William Wirt (1 Op., 412), 1823.

President Andrew Jackson: Attorney General Roger B. Taney (2 Op., 525, 530), 1832.

President John Tyler: Attorney General Hugh S. Legare (3 Op., 637), 1841.

President James K. Polk: Attorney General John Y. Mason (4 Op., 523), 1846.

President Franklin Pierce: Attorney General Caleb Cushing (7 Op., 187), 1855.

President Abraham Lincoln: Attorney General Edward Bates (10 Op., 356), 1862.

President Andrew Johnson: Attorney General Henry Stanberry (12 Op., 32), 1866; Attorney General William M. Evarts (12 Op., 449), 1868; Attorney General William M. Evarts (12 Op., 455), 1868.

President Ulysses S. Grant: Attorney General George H. Williams (14 Op., 562), 1875.

President Rutherford B. Hayes: Attorney General Charles Devens (16 Op., 523), 1880.

President Chester A. Arthur: Attorney General Benjamin H. Brewster (17 Op., 521), 1884; Attorney General Benjamin H. Brewster (18 Op., 29), 1884.

President Benjamin Harrison: Attorney General William H. Miller (19 Op., 261), 1889.

President Theodore Roosevelt: Attorney General Philander C. Knox (23 Op., 599), 1901; Attorney General William H. Moody (25 Op., 258), 1904; Acting Attorney General Henry M. Hoyt (26 Op.), 1907.

The power of the President to appoint during recess and the right of an officer to exercise the duties of his office under such appointment have been expressly recognized and sanctioned by legislation of Congress. It is true that this legislation took the form of an attempted restriction upon the constitutional power of the President to appoint, and this must be regarded as the strongest evidence of the legislative determination that the power existed. During the bitter fight between the Senate and President Andrew Johnson over this very question in that era of high feeling following the Civil War Congress passed, in 1867, what was known as the tenure-of-office act. This act was amended in 1869 and brought forward in the Revised Statutes as sections 1767 to 1772. This act undertook to restrict the power of the President to make recess appointments. Section 1768 provided:

And if the Senate during such session shall refuse to advise and consent to an appointment, then \* \* \* the President shall nominate another person as soon as practicable to the same session of the Senate for the office.

The constitutionality of the tenure-of-office act was always seriously questioned. It was held by the best lawyers and statesmen that Congress by legislation had no power to cut down or restrict the constitutional authority of the President. If the power were once conceded in Congress to restrict in any degree the right of the President to see that the laws were faithfully executed and the Government carried on, it would be possible for a hostile Congress, or even for a hostile minority in the Senate, to totally obstruct the necessary functions of the Government. The infamous tenure-of-office act was repealed March 3, 1887 (24 Stat. L., 500). The constitutionality of such legislation was dealt a final blow in the case of *Parson v. The United States* (167 U. S., 327). The last remnant of this species of sand-bag legislation is found in section 1761, providing that no money shall be paid as salary to such appointee until he has been confirmed by the Senate. In other words, Congress has finally recognized that the limit of its power in this regard is the limitation upon appropriations. Since the bitterness growing out of the struggle passed away, it has been the uniform custom of Congress to pay all de facto officers who are discharging the duties of an office during the time which they actually serve by including a special item for that purpose in the appropriation bill. As to postmasters, section 1761 has been expressly repealed by section 31, chapter 180, of the act of March 3, 1879 (20 Stat. L., 362), which provided:

Any person performing the duties of postmaster by authority of the President at any post office where there is a vacancy, for any cause, shall receive for the term for which the duty is performed the same

compensation to which he would have been entitled if regularly appointed and confirmed as such postmaster; and all services heretofore rendered in like cases shall be paid for under this provision.

It is interesting to note that during the terms of all of the present Members of the Senate the power of the President to appoint to fill vacancies which had occurred during a previous session of the Senate has been recognized and acquiesced in. The cases include such recent action as the confirmation on December 22, 1914, of John A. Fain as the United States attorney of the western District of Oklahoma, and on January 5, 1915, of Thomas B. Stuart as third judge of the first circuit of the Territory of Hawaii.

The strength of the President's position may be further shown by an examination of the practical effect of an opposite rule. Suppose that the President had no power to fill by appointment a vacancy which first occurred during a session of the Senate, and the person whom he attempted to appoint had no power to discharge the duties of the office until duly confirmed by the Senate, what would be the effect upon the public service of such a condition of affairs? A vacancy might occur in an important office in a distant part of the country so near the close of a session of the Senate as to render it impossible to secure and nominate a suitable person. The office must then remain vacant, to the derangement of public business, until the Senate was again in session, and even then the extreme technicalities of construction would prevent the President from making an appointment. The office might be one vital to the public service, as a United States marshal, a United States attorney, or a collector of internal revenue, a Federal judge, a warden of a Federal penitentiary. If the President was without power in such cases except by the concurrence of the Senate to make appointments, a special session of the Senate would become immediately necessary to fill even a single office. Or suppose a different state of affairs, that the Senate in discharge of the public business is continuously in session from one year's end to another and there is no recess, or a very brief one of a few hours; suppose that the Senate in practical effect delegates to a single Senator the right to say what appointments of the President shall be confirmed in his State and what shall be rejected. Suppose that this single Senator does not recommend a person for the place whom the President regards as suitable and qualified; must the result be that the President must accept the recommendation of a single Senator of a person in whose capacity and suitability he has no confidence under the extreme alternative of allowing the office to remain perpetually unfilled, to the stoppage of all public business? In other words, is the President denied any voice in the suitability of candidates by a species of courtesy under which the Senate would undertake to follow the wishes of a single Senator? In this case what becomes of the constitutional mandate that the President shall see that the laws of the Union be faithfully executed if he be denied the power to appoint officers to carry out that high constitutional duty? It is apparent, therefore, that all arguments drawn from the section of the Constitution giving the Senate the right to confirm appointments are highly technical and savor of legal pettyfoggy. They are totally out of harmony with the spirit and purpose of that great instrument and, as said by our great Attorneys General, utterly inconsistent with practical operation of the Constitution.

At a later time I shall discuss more in detail the danger of permitting a single Senator to name and compel the appointment of persons of his own selection to the offices of United States district attorney, United States judge, and United States marshal when the law permits such Senator to secure employment as the private attorney of persons indicted in the Federal courts for offenses against the United States. [Applause.]

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] is recognized for five minutes.

Mr. JOHNSON of Kentucky. Mr. Speaker, the bill under consideration has for its purpose the curing of a defect in a charter, so that a society here, made of colored people, may be given the right to sell some real estate which they own. I apprehend that there is no possible objection to the bill, and unless some one else wishes to speak upon it I ask for a vote.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

#### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2589. An act for the relief of Peter McKay; to the Committee on Claims.



## ANNUAL ASSESSMENT OF REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 19552) providing for annual assessments of real estate in the District of Columbia.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That hereafter all real estate in the District of Columbia which is subject to taxation shall be annually listed by the assessor for taxable purposes instead of triennially as heretofore, and all laws are hereby repealed to the extent that they are in conflict herewith.

Mr. JOHNSON of Kentucky. Mr. Speaker, I believe the reading of this bill is sufficient explanation of it.

Mr. MANN. Mr. Speaker, I shall vote against this bill. I have never given a great deal of attention to the subject of laws relating to the assessment of taxes on real estate. In my State I believe real estate is assessed once in three or five years.

Mr. THOMSON of Illinois. Once in four years.

Mr. MANN. My colleague says once in four years. There is no substantial change in the valuation of real estate, generally speaking, from one year to another sufficient to justify the expense of making a new assessment every year. There is a large expense in making an assessment on real estate covering the District of Columbia. To make that every year it seems to me an unnecessary expense when, as I assume, if there are betterments on the property they are subject to readjustment every year.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. JOHNSON of Kentucky. I would like to ask the gentleman what the additional expense would be by having annual assessments instead of triennial?

Mr. MANN. I do not know how much difference there would be, but I know the expense of making an assessment at any time is quite a charge.

Mr. JOHNSON of Kentucky. The appropriations are just the same during the years when assessments are not made as they are when assessments are made.

Mr. MANN. I always accept any statement of fact made by the gentleman from Kentucky, but I should question whether that was correct. It is self-evident to anyone that if you make an assessment of real estate covering the District of Columbia, there is considerable expense about it. There is no use in arguing to me that it does not cost anything, because I have had experience enough to know that it does cost considerable. Now, the ordinary piece of property does not vary to any great extent in three years. To make an assessment every year instead of every three years, I think, is a useless expense, and is not a general practice throughout the country.

Mr. JOHNSON of Kentucky. Mr. Speaker, the "organic act," the act of 1878, which is held so sacred, particularly on the other side of the aisle, required annual assessments of real estate, but in 1902 there was a provision in the District of Columbia appropriation bill, put on in the Senate, which did away with annual assessments and provided for triennial assessments in lieu thereof. In addition to that, that bill did away with the taxation of intangible personal property in the District of Columbia. In addition to that, it further outraged the "organic act" by providing that real estate should be assessed at only two-thirds of its value instead of the full value, as provided in the "organic act."

The assessors are employed by the year, regardless of the fact whether they make an assessment on real estate for that year or not. The gentleman from Illinois [Mr. MANN] is mistaken when he says that there is no material advance in real estate in three years. Here, where property in some sections is increasing in value by leaps and bounds, it increases materially every year. If it had not been increasing materially the "organic act" would not have been amended in 1902 in the three respects just mentioned.

Mr. ALEXANDER. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. ALEXANDER. Is there any law by which the improvements on real estate may be considered annually?

Mr. JOHNSON of Kentucky. Yes; that may be taken into consideration annually. Every time the "organic act" has been amended it has been done in order to lessen taxes. Washingtonians scream with indignation when it is now proposed to restore the "organic act." But no one ever heard a word of protest from any of them when it was being changed to the detriment of the United States.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## RIVERS AND HARBORS BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the rivers and harbors bill.

Mr. DONOVAN. Mr. Speaker, I want to renew the request for unanimous consent that I made earlier in the day, that the 20 minutes allowed me in general debate on the rivers and harbors bill may be used by me when we take up the bill under the five-minute rule.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the bill is taken up under the five-minute rule he may use the 20 minutes yielded to him for general debate.

Mr. MANN. Mr. Speaker, I have no objection, but can not the gentleman indicate where his amendment is to be offered in the bill?

Mr. DONOVAN. Yes. It is at the bottom of page 4, an amendment with regard to Connecticut Harbor.

The SPEAKER. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, I have no objection to the gentleman talking 20 minutes when we reach that part of the bill. But I shall object to yielding 10 minutes of my time for that purpose. I will yield him 10 minutes in general debate.

The SPEAKER. But the gentleman asks for 20 minutes when that amendment comes up.

Mr. MANN. This is in lieu of the time he was to have in general debate.

Mr. DONOVAN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Florida to go in the Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is now in the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, the bill under consideration carries in cash appropriations \$31,638,580 and in authorizations \$2,500,000, making in all \$34,138,580, or \$14,894,438—nearly \$15,000,000—less than the aggregate amount of cash estimates furnished by the War Department for this measure. These estimates amount to \$49,033,018. In addition to which the War Department recommended \$5,722,067 to be inserted for several projects by way of authorization, making in all \$54,755,085, or \$20,616,505 more than the amounts carried in this bill, both cash and authorization combined.

These estimates cover only work on old projects; that is, original work of improvement on projects heretofore adopted, together with maintenance and contingencies. They do not cover any new projects, nor are there any new projects provided for in this bill.

We were enabled to make these reductions by carefully going over the reports upon each project for which estimates were made, and only allowing in the case of maintenance a sum sufficient for that purpose, and in the case of original work of improvement a sum sufficient to carry on the work efficiently and economically and with a fair degree of progress from the 4th of next March until the 30th of June, 1916, a period of nearly 16 months.

In reviewing these estimates and making the reductions and eliminations shown, because we have eliminated quite a number of items in the list of estimates, we had the assistance of the Army engineers, with whom we consulted quite freely with reference to each and every project, and while it may be and doubtless is true that more money could be judiciously expended on the projects for which we are making appropriations, it is believed that enough has been allowed for the purposes mentioned.

Now, in making these reductions and eliminations and in leaving out new projects, the Committee on Rivers and Harbors have not been unmindful of the great and imperative demands



of our rapidly growing commerce, for the benefit of which both the old and the new projects are designed, but in view of Treasury conditions growing out of the war in Europe we have found it necessary to economize, or at least to be very conservative, in the preparation of this bill and in fixing the amounts to be carried in it. To be sure, economy in public expenditures is something always desirable, but at this time, for the reason just given, is more so perhaps than at any time during the past decade and a half. Hence, the severe pruning to which we have subjected the estimates, and yet we have tried to be fair with all projects. Certainly we have allowed enough for maintenance. That was our purpose in every case. It would be very unwise, indeed, to allow any work already completed, if it is worth anything at all, to deteriorate or to become less efficient.

It would also be an unwise policy that would fail to prosecute work with a fair degree of rapidity upon such uncompleted projects as promise adequate returns. Not only is that advisable on account of the advantages to accrue from the completed project, but it is also desirable in the interest of economy, because in many instances, yes, in the majority of cases, a work can be prosecuted with less waste if it is carried on expeditiously. Hence in the reductions mentioned we have given those matters such consideration as it was possible under the circumstances to give them and have treated each project as generously as conditions would permit.

The amounts allowed will complete quite a number of projects, carry others well along toward completion, and generally reduce the aggregate amount yet remaining to be appropriated. This sum, as is well known to those who have kept up with river and harbor legislation, is considerable, amounting approximately to \$250,000,000. These are large figures, but let me say that \$160,000,000 of that sum are for the Mississippi River and two of its tributaries—the Ohio and the Missouri Rivers—leaving about \$89,000,000 to complete the work on perhaps 250 other projects scattered all over the country from Maine to Alaska—on the Atlantic, on the Gulf, on the Pacific, on the Great Lakes, and in the intervening country wherever navigable waters exist. So it will be seen that if we were to eliminate those three rivers the amount, only \$89,000,000, necessary to complete the remaining projects heretofore adopted could be approximately covered by two such bills as that we passed through this House last spring, but which did not become a law, or in one such measure as that of 1907, which amounted to about \$87,000,000. These are the facts, and yet the main attacks on this bill will likely be leveled at the projects which go to make up the smaller sum of \$89,000,000.

I wish to say further while on this subject, that of these \$250,000,000 only about \$30,000,000 were placed on the books by bills passed since and including that of 1912, which was the first measure framed by the Committee on Rivers and Harbors as at present organized. The other \$220,000,000 have come down to us from legislation anterior to the act of 1912. The bill, for instance, of 1910, adopted 180 projects calling for \$263,000,000 to complete. We have the most of those projects with us yet, among them being the three rivers just mentioned—the Mississippi, the Ohio, and the Missouri—requiring, as I said, to complete about \$161,000,000. I mention all this mainly for the purpose of showing that the demand for river and harbor improvement is not and has not been on the increase during the period covered by the last three or four bills.

Mr. Chairman, we have been carrying on this work now for about a century. It began about 1815, and down to 1896 we had appropriated for river and harbor work approximately \$273,000,000. Since that time we have appropriated and authorized a little above \$500,000,000. So by far the larger part of the appropriations and authorizations made by Congress for that class of work have been made and authorized since and including the framing and passage of the bill of 1896.

Now, beginning with the bill of 1896 we entered upon a new policy of river and harbor legislation. Down to that time we had gone on in a slipshod unmethodical way making appropriations from time to time without reference to any general or definite plan. But all this was changed in 1896, for beginning with the bill of that year we practically adopted a new policy of river and harbor development. That policy was to improve all the commerce-bearing streams and harbors of the country to their full navigable capacity as rapidly as Treasury conditions would permit. The bill of that year, the largest up to that time in the history of the country, amounted to about \$76,000,000 and was framed in pursuance of that policy. It was passed, too, at a time when we had not yet recovered from the disastrous panic of 1893, and the consequent business depression which followed. Furthermore it was enacted while

we were borrowing money for the purpose of replenishing the Treasury. True, President Cleveland vetoed the measure. But so important did those then in charge of legislation regard the great works for which the bill provided that in the face of those business and Treasury conditions they passed the bill over the President's veto by a large vote. Then we had the bill of 1899 which also carried a large sum. Again in 1901 we had a bill which, though passing the House, was talked to death in the Senate. It was also a liberal measure, carrying about \$60,000,000 as it passed the House.

Then followed the bills of 1902 and 1905—all liberal measures. But that of 1907 eclipsed them all, for it carried as cash and authorizations upward of \$86,000,000, being the largest bill of its kind that ever passed Congress.

Mr. EDWARDS. Will the gentleman yield there?

Mr. SPARKMAN. Certainly.

Mr. EDWARDS. Who was chairman of the River and Harbor Committee at that time—1907?

Mr. SPARKMAN. The Hon. THEODORE BURTON, of Ohio.

Mr. FREAR. Will the gentleman yield for another question?

Mr. SPARKMAN. Yes.

Mr. FREAR. I do not care to interrupt, but in order to make this clear, did not that cover two years at that time?

Mr. SPARKMAN. Oh, yes; it covered two years; but it was about twice the amount of the bill we passed through Congress last year, which was intended to cover one year, and this bill is nearly \$10,000,000 less than that of last year and is designed to cover nearly a year and a half.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GOODWIN of Arkansas. I believe the gentleman stated the bill carries about \$14,000,000 less than recommended by the department?

Mr. SPARKMAN. Less than the cash estimate.

Mr. GOODWIN of Arkansas. How equitably is this distribution made in reference to the various States and the projects that have been already begun?

Mr. SPARKMAN. I will say that we have not considered States in making these appropriations.

Mr. GOODWIN of Arkansas. As to continuing projects?

Mr. SPARKMAN. As I say, we have not considered States in preparing this bill. We have considered only projects.

Mr. GOODWIN of Arkansas. How equitably has the distribution been made in this bill as to continuing projects?

Mr. SPARKMAN. As equitably as we could, in view of all the conditions as we saw them. Some may differ with us as to that, but we think the distributions are judiciously made. Certainly we have tried to do that.

Mr. GOODWIN of Arkansas. Speaking specifically for one State, I believe the engineers recommended \$1,146,000 for Arkansas, and the committee recommended in the bill \$41,000, or about one-thirtieth of the amount recommended by the department. Does that same ratio obtain throughout the various States which will be the recipients, if this bill becomes a law, of rather large appropriations?

Mr. SPARKMAN. I could not properly answer that question, I will say to the gentleman, without repeating the reply I made a little while ago, that we are not making appropriations for States. We must ignore State lines in providing for the improvement of rivers and harbors. We do this work under a constitutional provision which takes no note of State lines, but ignores them entirely.

Mr. GOODWIN of Arkansas. Taking a specific project, for example, that of the Ouichita, that is an interstate proposition. I believe the engineers have recommended some \$771,000, if I recall, whereas the bill carries on its face only \$25,000 for that stream, and that is a continuous project, locks and dams having been begun there several years ago. Does that same disproportion of awards obtain throughout the various States or throughout the various projects? Disproportionate as between recommendations and awards?

Mr. SPARKMAN. It could hardly be disproportionate if it obtained throughout, because it would then be proportionate. But I see the gentleman's point, and I will answer frankly. We have tried to appropriate money for projects in proportion to their merits and the necessities of the work. We may not have done that in every case. Possibly we have not, but it was the intention of the committee so to do. I know to what the gentleman refers. He is not referring, I fancy, alone to the Ouichita, but to the Arkansas River as well.

Mr. GOODWIN of Arkansas. I have a great many continuing projects in mind. I might enumerate them here.

Mr. SPARKMAN. I want to say to the gentleman that I hope he will postpone his questions until I have gotten a little



further along with my statement. Then I will try to answer any question he may propound. In any event, I shall certainly be glad to yield to the gentleman.

Mr. Chairman, when interrupted a moment ago I was dealing with the policy we have been pursuing for the past 18 or 19 years, and had gotten as far as the bill of 1907. Now, during the time this legislation was going on and those large and generous appropriations were being made, the sentiment in favor of this new policy was growing in strength and volume. It was voiced by commercial bodies and newspapers all over the country, by campaign orators, by Members here and in the other branch of Congress; and particularly was it proclaimed in the party platforms of the two great parties; the Republicans always pointing with pride to the great record they were making in carrying on this class of work, and the Democrats promising that if they were placed in power they would do likewise, or possibly a little better. All this went on until 1910, when we embarked upon the annual-bill feature. This was done for the purpose of responding to and meeting this great demand for more rapid river and harbor improvement, and with a view to carrying out as rapidly as possible the policy under which the work was being done. That bill, as I stated a moment ago, adopted 180 new projects to cost the Government \$263,000,000. Now, the bill of 1911 did not appropriate so much, nor did it adopt many new projects. In fact, it passed the House without any new projects at all; but in the Senate several were added calling for about \$4,000,000 to complete. The bill of 1912, the first one prepared by the Committee on Rivers and Harbors as at present organized, adopted only about \$37,000,000 of new projects, while that of 1913 contained approximately \$13,000,000, making only \$50,000,000 of new projects in all since and including the bill of 1912.

So it is easy to see that this work is not growing, but is on the decrease, as in the very nature of things it should and must be. The large amounts carried in recent bills are to take care of projects heretofore adopted, which we must do or else abandon them, a course, I fancy, no one would counsel.

I have called attention to the large amount, approximately \$161,000,000, necessary to complete the projects on three rivers—the Mississippi, the Ohio, and the Missouri. This I did not do for the purpose of criticizing the adoption of those projects, for they all provide for work which Congress at the time no doubt thought ought to be done, and which in the main I yet think ought to be carried to completion as rapidly as Treasury conditions will permit. The lower Mississippi, as has often been said, is in a class by itself, and the sentiment of the country is decidedly, from all appearances, in favor of the continuance of that work. The Ohio River carries an enormous tonnage, which will no doubt be largely increased when the present project is completed. In my judgment it is one of the best of river canalization schemes we have undertaken. As was said to me a short time ago by one of the most prominent Government engineers of the country, if the present plan for the improvement of that river is not meritorious, then there is no canalization project heretofore submitted or now in sight that is meritorious.

We know about the Missouri River project, as it has been discussed and the reasons for its adoption considered on this floor several times within recent years. Originally it required about \$20,000,000 to complete, but this amount has been considerably reduced by appropriations made in the various bills since and including that of 1910. True, the river in recent years has not been carrying a large amount of commerce as compared with many other streams, but that was all known and considered when the project was adopted, Congress at the time acting with full knowledge of all the facts.

I know there are some who now criticize that, along with many other projects for which the present Congress is in no wise responsible. Last year, when the 1914 bill was before the House and Senate, criticisms of that measure were quite severe, although they dealt mainly with projects which have been on the books for many years. Now, one so inclined can always criticize a river and harbor bill containing, as each has for the past several years, hundreds of items providing for projects scattered all over the country, some large and some small, and with varying degrees of merit. In fact, no such bill has, perhaps, ever escaped criticism, and I would like to say to those who may think they have a monopoly in that particular field of endeavor that if they will read the debates in Congress on each river and harbor bill during the past 75 years their pride and complacency will be greatly weakened if not entirely destroyed. Especially would I call their attention to the debates in the Senate when the conference report on the bill of 1901 was before that body. There they will see language fully as strong and equally as denunciatory of that measure as any that

have been used against this or any recent bill. Though an excellent measure, framed with great care by the Rivers and Harbors Committee, presided over by Hon. T. E. Burton, it was characterized as an iniquitous measure, "a steal," and as having been "framed, constructed, and completed upon the despicable principle of division and silence."

Now, these criticisms, as a rule, have not been leveled at the larger projects, but the smaller ones. Of course, there have been exceptions. I have one such critic in mind now, to whom I said a little while ago that he seemed to play no favorites, criticizing the larger as well as the smaller projects. But generally the larger ones are passed over while the critic exhausts his vocabulary of wit and denunciation on creeks and small rivers, costing in the aggregate relatively a small sum, and with perhaps ten times more commerce than some of the larger streams the appropriations for which go unchallenged.

Mr. Chairman, I do not object to legitimate criticism, but the wide range taken during recent months in denunciation of waterway legislation is manifestly unjust, because all the projects adopted can not be lacking in merit, even assuming that some are thus lacking, which I do not admit, because all for which we have continued to make appropriations are, as I view them, meritorious and clearly within the policy we have been pursuing for the past 20 years. To be sure, some of them are better than others, but each and all of them can be justified under our present policy. Hence, if one is going to criticize he should direct his criticisms against the policy, because he will make but little headway when in the wide range of denunciation, such as was indulged in against the bill of 1914, he criticizes relatively only a few projects. Calling attention to the lack of merit in a project may be all right when we wish to improve the measure by the elimination of such project or to illustrate the nature of the policy under which a bill is framed, but the main attack, if any, in the latter case should be made against the policy itself.

Now, a word with reference to instances where commerce is shown to be on the decline. Much has been said about what is called a dwindling commerce on certain waterways; but let me say that the fact that commerce is declining on a navigable stream or harbor does not necessarily furnish a reason why the further improvement of such a waterway should be abandoned, as there may be causes of a temporary character for such decline, which, ceasing to operate, the commerce will improve, or the falling off may be apparent and not real, for often statistics are not properly gathered. In a communication addressed to me a few weeks ago the Chief of Engineers called attention to that feature as one of the frequent causes of an apparently diminishing commerce.

Now, there never has been any thorough system devised by the Government for the gathering of commercial statistics, although great improvements in that regard have been made in recent years. The engineers must, in the very nature of things, rely largely upon private persons, commercial bodies, or other local institutions for commercial statistics, as they rarely have the time or the facilities for gathering them. These statistics are sometimes more carefully collected in one locality than in another, and in some years with more care in the same locality than in other years, so that the commerce as reported should be taken for a series of years before any effort at generalization can properly be made. A fair illustration of mistakes sometimes made is furnished in the commerce reports for Hillsboro Bay for the year 1913, where it is given at 1,319,283 tons, which shows an apparent falling off in one year of about 33 per cent, where, as a matter of fact, there has been a large increase. The mistake was evidently unintentionally made by the parties in the vicinity who undertook to gather and report the statistics for the engineer in charge, who has his office at Jacksonville. The commerce should have been given at something like seven or eight hundred thousand, probably a million, tons more, as can be easily shown.

Then, again, it appears that the method of reporting tonnage has been changed at many places during the past few years. Up to six or eight years ago it was the custom to report the registered tonnage of vessels navigating many of our waterways instead of the tons of freight carried by such vessels, and as the registered tonnage of such vessels was always greater than the freight tonnage, the change to the present system naturally resulted in an apparent decrease in the amount of freight carried over such waterways.

Right here I would like to insert so much of the letter of the Chief of Engineers, Gen. Kingman, to which I have just referred as bears upon the subject under discussion. Gen. Kingman says:

• • • Since 1907 the collection of commercial statistics has been conducted with greater care, and, in some cases at least, it is personally



known to me that the commercial statistics of 1907 are not properly comparable with those of 1912. For instance, it is known that, in some harbors up to and including 1907, it was the practice, in reporting commercial statistics, to report the net registered tonnage of vessels entering and leaving the harbor. Since then the practice has been changed to reporting the actual tonnage of freight carried instead of the net registered tonnage. This has resulted in an apparent decrease of commerce, while, as a matter of fact, there has been an actual increase. In some cases it is unquestionably true that there has been an actual decline in the commerce of the improvements reported upon, but to arrive at a general conclusion as to the value of river and harbor improvements by a comparison of the statistics of 10 or 15 or 20 years ago with the statistics of to-day is not entirely safe, as different methods of collection of statistics and greater care in collecting them has resulted in very largely eliminating the padding of the statistics, which sometimes occurred, and in showing the actual amount of tonnage carried rather than the net tonnage of vessels using the waterway.

Now, Mr. Chairman, there is no doubt but there has been a marked decline in the commerce on some of our rivers and harbors, mostly, I may say, on the rivers, for the harbors have usually, though not in every case, shown an increase of freight tonnage. But the fact that commerce has declined on a given waterway does not necessarily furnish a reason for stopping the improvement of such waterway, for the decline may be only temporary and the result of causes which may soon be removed, resulting in renewed activity in the use of such river or harbor. But, of course, the quantity and the value of the freight carried are features always to be considered in determining the merits of a proposition to improve a given waterway.

Again I may say that I think the reports of commercial statistics will be better and more reliable in the future than in the past, as the engineers are now paying closer attention to the matter. Indeed, they have been doing this for the past five or six years. The result is that where an increase was shown up to that time a decrease in some instances is now shown, because of the greater care exercised in gathering statistics. Still, the system is not as yet perfect by any means, though the fault where mistakes occur is rarely, if ever, with the engineers.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield for a question.

Mr. SPARKMAN. Certainly.

Mr. CALLAWAY. I want to ask how this tonnage estimate is made. In studying these figures I have been somewhat puzzled. I want to know if they take the amount of tonnage passing different places, and if it is not a fact that it is duplicated?

Mr. SPARKMAN. Oh, yes; it is duplicated, triplicated, and quadrupled in some cases.

Mr. CALLAWAY. Is it possible to tell how much tonnage there is on a river, from the reports made in these tonnage statistics that we get?

Mr. SPARKMAN. It is very difficult at times, and perhaps in a few instances almost impossible.

Mr. CALLAWAY. I notice that in reference to the Tennessee River the estimate for tonnage on the river is enormous, whereas the tonnage that passes the Muscle Shoals for instance, is practically negligible. I notice the same thing on other rivers. Looking at the Mississippi I find that they have no regular carriage for any distance, but the tonnage on the river seems to be enormous. That is evidently the tonnage taken of boats that pass Memphis, and the same boats that pass Cairo and the same boats that pass other points, duplicated, triplicated, and quadrupled.

Mr. SPARKMAN. That is likely correct in some instances.

Mr. CALLAWAY. I wanted to know if there was any way of estimating it. Have they any possible way of estimating the tonnage carried by the mile; that is, the miles that the tons are carried?

Mr. SPARKMAN. In some places they do so estimate it.

Mr. CALLAWAY. The only proper way to estimate tonnage would be the amount, and then the miles that it is carried.

Mr. SPARKMAN. That is a good way, but not the only way. I think there are many duplications.

Mr. CALLAWAY. Some of the estimates of tonnage is the tonnage that the boat might carry instead of what they actually carry.

Mr. SPARKMAN. That used to be done, but I think it is not the practice now.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. GOODWIN of Arkansas. In replying to my query a while ago, the gentleman stated that the committee had discarded States and made recommendations to conform to the continuing projects. However, a few moments later he spoke of the tonnage being carried on the projects. How uniformly and how equitably, I would like to know, has the committee recommended, or does the bill comport not only as to continuing projects but likewise to the tonnage on these continuing projects?

Mr. SPARKMAN. In framing a rivers and harbors bill we always consider the question of freight tonnage. The question of value also enters into the matter. The first thing, however, I should say, is to consider the matter of tonnage, then the value and nature of the freight carried, together with the probabilities as to future growth.

Mr. GOODWIN of Arkansas. Has that actuated the committee largely in the framing of the bill?

Mr. SPARKMAN. Yes; but we consider other things, such as the development of the surrounding country, and the stimulus it may furnish to productive energy—all those things enter into it.

Mr. GARNER. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GARNER. The difficulty that the gentleman says in ascertaining the correct tonnage on the rivers does not apply to harbors, because you can collect the statistics of that tonnage?

Mr. SPARKMAN. Yes; that is quite possible in most cases.

Mr. GARNER. May I ask as to the policy of the committee, whether or not you adopted a policy as to new projects? The gentleman has stated that this bill does not carry any new project.

Mr. SPARKMAN. No new projects.

Mr. GARNER. This is for continuing work already gone into by Congress. Has your committee decided definitely upon a policy of continuing present projects to the exclusion of new projects in the future?

Mr. SPARKMAN. No; we have gone no further than this bill.

Mr. GARNER. This is based on a policy for this session of Congress only?

Mr. SPARKMAN. For this session only.

Mr. FOSTER. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. FOSTER. On that subject can the gentleman inform the committee how many new projects there are and the amount estimated to complete them which have been already reported favorably by the Board of Engineers?

Mr. SPARKMAN. Something in the neighborhood of 100, in round figures.

Mr. FOSTER. To cost how much money?

Mr. SPARKMAN. The new projects favorably reported but not yet adopted call for, to complete, \$101,000,000, in round figures.

Mr. FOSTER. In this bill you provide for surveys amounting to something between 100 and 200 items.

Mr. SPARKMAN. One hundred and seventy-two.

Mr. FOSTER. So that you have an amount of \$100,000,000 reported favorably by the Board of Engineers, but in this bill you provide for the surveys, which amount to 172 projects.

Mr. SPARKMAN. Yes.

Mr. FOSTER. So that if this \$100,000,000 was added that would make \$350,000,000, the amount that would be paid by the Government for river and harbor improvements if they were all taken on.

Mr. SPARKMAN. If they were all taken on, yes; but I want to say that it is hardly probable that anything like all of them will ever be adopted. Then, again, it is not at all likely that anything near all the surveys ordered in the bill will receive favorable consideration at the hands of the engineers. Of recent years not more than 40 per cent of those ordered have been reported favorably to Congress, and this percentage is likely to diminish rather than increase in the future. The tendency is that way.

Mr. COOPER. Mr. Chairman, there ought to be something said right at that point, because without any explanation the reader of the RECORD might understand that those three hundred and odd million dollars are to be paid in one year. That expenditure would cover possibly a period of from 8 or 10 to 25 years.

Mr. SPARKMAN. That would depend upon the humor of Congress. But at the rate we have been going on the appropriations would about cover that period.

Mr. COOPER. They would not, of course, expend \$300,000,000 in one year.

Mr. FOSTER. There has been an effort to make contracts for the whole amount of the improvements. They wanted to establish that sort of policy.

Mr. GARNER. Oh, no.

Mr. FOSTER. That has been talked of, that that was the cheaper way of doing it.

Mr. SPARKMAN. It has been talked of, but it is not likely to be done.



Mr. GOULDEN. Mr. Chairman, the gentleman from Illinois has asked one question which I desired to ask, and the gentleman from Florida has answered it, but I have another that I desire to propound. What number of projects are covered in the present bill, none of them being new?

Mr. SPARKMAN. About 80 projects, for which appropriations are being made to carry on original improvements. There are more than that, however, for which appropriations are being made to cover maintenance.

Mr. GOULDEN. If the gentleman could tell us, I think it would be of interest to know how much is appropriated for continuing projects and how much for maintenance.

Mr. SPARKMAN. The amount is about \$4,000,000 for maintenance, while the balance is for work of original improvement.

Mr. GOULDEN. Then the remaining \$30,000,000 are practically for projects now under way?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. Just one suggestion in answer to the question of the gentleman from Texas [Mr. GARNER] as to the ease with which tonnage statistics can be gathered at harbors. That is true, but statistics at harbors also represent duplications. In fact, all of the coastwise tonnage of the United States represents duplications.

Mr. GARNER. But where you have a harbor like New York or Galveston there is no possibility of duplication at those points.

Mr. HUMPHREYS of Mississippi. If it is foreign commerce coming into this country it is not duplicated, but if the tonnage originates at one port in this country and enters into another, it is credited to each port.

Mr. GARNER. One of them is export and the other is import.

Mr. HUMPHREYS of Mississippi. Yes; but without the improvement it could not be shipped from one port into another.

Mr. SPARKMAN. The gentleman from Mississippi is dealing with coastwise commerce.

Mr. HUMPHREYS of Mississippi. Yes; entirely.

Mr. GARNER. Mr. Chairman, may I come again to the policy of the committee as being the policy of the House of Representatives. If I understand the gentleman from Florida, he objects, and I think justly so, to the criticism of the committee's work in bringing in a bill containing certain items until Congress itself has changed the policy of Congress as applied to these various items.

Mr. SPARKMAN. That is partly correct; but I wish to add that I was not objecting so seriously to criticism of a single project if it is so lacking in merit as to fall outside the policy under which the bill is framed. If it is within that plan it is the policy that should, I think, be criticized.

Mr. GARNER. If I understand the gentleman, he and his committee are carrying out what they believe to be the sentiment of this House as applied to the various projects contained in the bill. In other words, it is a policy that has been framed and adopted by the House of Representatives and the Senate.

Mr. SPARKMAN. Yes; though not formerly adopted, but a policy we have been pursuing for the past 19 years.

Mr. GARNER. And if it is the desire of the people throughout the United States through their Representatives to change that policy, the River and Harbor Committee, of course, will be very glad to carry out whatever policy their colleagues may determine upon.

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. We would be forced to, whether we would be glad to do it or not.

Mr. GOODWIN of Arkansas. Mr. Chairman, if two projects are equally meritorious, and one has been cared for and the other has been disregarded, one being cared for almost up to the recommendations of the department, does the gentleman think that the Committee of the Whole should not criticize that discrimination?

Mr. SPARKMAN. Oh, I think we ought to be criticized whenever we do wrong.

Mr. GOODWIN of Arkansas. I am not speaking about the recommendations of the committee, but I understand the gentleman thinks the bill should not be criticized.

Mr. SPARKMAN. Oh, I would not like to be understood as saying that. I simply suggested that we were not making much headway in merely criticizing the adoption of a project clearly within a policy we have been pursuing.

Mr. GOODWIN of Arkansas. But the gentleman confesses that the committee should stand ready to give light.

Mr. SPARKMAN. Oh, always. We are not above criticism. In fact, I think it is a good idea to be criticized at times. I now yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. The gentleman from Florida finds in his experience as chairman of the Committee on Rivers and Harbors, does he not, that new Members of the House sometimes press, and very rightly, for the adoption of projects which are new?

Mr. SPARKMAN. Oh, yes.

Mr. MOORE. Well, the gentleman would not question the right of a Member of Congress to urge the introduction in a river and harbor bill of a project which he thought was worthy?

Mr. SPARKMAN. No; any Member has a perfect right to, and it is his duty if he thinks he should urge the adoption of a project which he may deem meritorious. I hope we may never reach the point where an individual Member is not to be heard in the interest of his constituents on this floor.

Mr. MOORE. Is it not a fact that when the committee adopts the policy of carrying on only existing projects and refuses to consider new ones, that to that extent it does preclude the right of Representatives in Congress to have a hearing with respect to their particular projects?

Mr. SPARKMAN. I would not think that by any means, because any Member will have the right when we reach the consideration of the bill under the five-minute rule to offer amendments to insert any new project he thinks ought to go in. Then it is for the House to determine whether or not it shall be adopted.

Mr. MOORE. The gentleman would not regard that sort of an offer on the part of a Member to do that much for his constituents as an undue criticism of the policy of the committee?

Mr. SPARKMAN. By no means.

Mr. MOORE. Now, may I ask the gentleman this, following up the inquiry made by the gentleman from Texas [Mr. GARNER], why, if the gentleman will state it, does the committee at this particular time adopt a policy of taking on no new projects?

Mr. SPARKMAN. It was done in the interest of economy. We thought that in view of Treasury conditions brought on by the European war, making it necessary to levy additional taxes, it was not right at this time to take on new projects, although some of them are highly meritorious and very urgent.

Mr. MOORE. It is not due, then, to the fact there may be a filibuster somewhere in this House or in another body that would threaten to defeat the bill—

Mr. SPARKMAN. No.

Mr. MOORE (continuing). In other words, this committee in the adoption of this policy of no new projects is acting upon the theory that we have to economize in these expenditures. It is not acting as the result of a fear that the bill may be defeated?

Mr. SPARKMAN. If Treasury conditions had justified, I dare say we would have adopted new projects. Just how many or which ones I could not say at this time, but there are a great many of them, or at least a number of them urgent, and ought to be taken care of as early as conditions will justify.

Mr. MOORE. I hope the gentleman will not take offense at my stating, in passing, that as one Member who has taken considerable interest in river and harbor matters, I believe this question of new projects should originate in the House, and that the House ought to be heard on all of these matters and every individual Member ought to be considered irrespective of any possible threats in any other body.

Mr. SPARKMAN. I think that is correct. I now yield to the gentleman from Connecticut [Mr. REILLY].

Mr. REILLY of Connecticut. The gentleman speaks of a policy that has been in vogue for 19 years. Now, some of us have not been here for 19 years, or will be here for 19 years—

Mr. SPARKMAN. More is the pity.

Mr. REILLY of Connecticut (continuing). Or for a very much longer period, and for the benefit of some of the new Members, would the gentleman explain what that policy is? Would the gentleman briefly state what this 19-year-old policy is?

Mr. SPARKMAN. Well, I said it was a policy, although it has never been promulgated by any legislative or other formal declaration; but the country has understood it and Congress has understood it. It may be defined as the improvement of all commerce-bearing streams and waterways to their full navigable capacity as rapidly as Treasury conditions will permit. That is about as clear as I can state it.

Mr. GOODWIN of Arkansas. Now, will the gentleman yield to me?

Mr. SPARKMAN. Certainly.

Mr. GOODWIN of Arkansas. Did the war or the present state of the Treasury impel the committee to recommend only about 3 per cent of the estimates on certain continuing projects



and about 95 per cent as to other projects, the two classes of projects being apparently equal as to merit?

Mr. SPARKMAN. I will say to the gentleman that Treasury conditions had a good deal to do with any cuts we made; not everything, perhaps, but it was one of the leading factors. It had a great deal to do, for instance, with the cutting off of more than \$500,000 recommended for projects inside the State of Florida. It had a good deal to do with the cutting out of the amount recommended for the Kissimmee River, a stream that my friend from Wisconsin [Mr. FREAR] criticized last year; not that the river is not deserving, for it is; but the engineer, when we were preparing the bill, thought the amount recommended was not needed in this bill, and we left it out, just as we left out about \$500,000 for other projects in that State.

Mr. GOODWIN of Arkansas. I wanted to know what the war or the State of the Treasury had to do with the apparent discrimination between certain projects on their face equally meritorious, which resulted in giving to one project about 3 per cent of the engineers' estimates and the others about 95 per cent. I did not know how the committee would reconcile these two apparently irreconcilable facts.

Mr. SPARKMAN. We will reach that later in the discussion under the five-minute rule, and then I shall be very glad to explain any apparent neglect on our part.

Mr. REILLY of Connecticut. Just another question, if the gentleman will permit.

Mr. SPARKMAN. Yes.

Mr. REILLY of Connecticut. You referred to the tonnage a short time ago. In figuring upon tonnage do you include logs floating down a stream in 2 or 3 feet of water as well as 20 feet of water? Do you include that?

Mr. SPARKMAN. Oh, yes; we include that, but that is a very low class of commerce, relatively speaking.

Mr. FREAR rose.

Mr. GARNER. You not only consider the tonnage, but the value of it?

Mr. SPARKMAN. Yes; the value of it is taken into account. Now I will yield to the gentleman from Wisconsin [Mr. FREAR], if he desires.

Mr. FREAR. On taking advantage of the kind invitation of the chairman I wish to express myself as having been extremely satisfied with the courtesies extended to me by the committee heretofore. I wish to ask why the Kissimmee River was left out of the bill by the Senate, now that that matter has been brought up, as well as the Altamaha and other rivers. What was the purpose of the Senate in dropping those projects, although they increased the amount by \$10,000,000?

Mr. SPARKMAN. I could not with authority answer that question. If it were parliamentary to do it, I could state what I was told was the reason. I fancy, however, it was not because they were lacking in merit.

Mr. FREAR. I was only asking that question as a genuine inquiry, because I have no idea myself but what is shown on the record.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. STAFFORD. In August last, as the gentleman from Florida remembers, the Chief of Engineers, in response to a Senate resolution, made a report that showed that there was \$18,000,000 available for the support of various projects throughout the country as of date June 30 of last year. I wish to inquire whether there is any document or figures available showing how much money is now available for river and harbor improvements on various projects, including the \$20,000,000 emergency appropriation that was voted last year?

Mr. SPARKMAN. I have no figures myself, but I think they could easily be obtained.

Mr. STAFFORD. The gentleman does not mean to say that the committee has acted in the preparation of a river and harbor bill without knowing how much money is available on these various projects?

Mr. SPARKMAN. I will say to the gentleman that we began the preparation of this bill somewhere about the 20th of November last—somewhere about the latter part of November—and we had estimates up to the 1st of November. I do not think those estimates have ever been tabulated or the figures footed up, but we had them before us when dealing with the respective projects. These figures showed how much was on hand for each work on the 1st of November.

Mr. STAFFORD. Can the gentleman inform the committee generally how much that amount was on the 1st of November last? There was \$18,000,000 on July 1, and then we added about \$20,000,000 more.

Mr. SPARKMAN. There was about \$18,000,000 available when the \$20,000,000 bill was passed, which, deducting about

\$2,000,000 for maintenance, left about \$18,000,000 for works of improvement. However, that perhaps does not answer the gentleman's question.

Mr. STAFFORD. No. I was seeking to obtain a report similar to that which the Chief of Engineers furnished to Congress in response to the resolution of the Senate, calling upon them to tell what balances remained to the credit of the various projects.

Mr. SPARKMAN. That was about \$38,000,000 in all, including the \$20,000,000 appropriated in the 1914 bill, but they have expended a good deal since that time. We have only dealt with individual projects in preparing this bill, and I have not figured out the exact amount still available for all the projects, which, by the way, would not be easy for the committee to do.

Mr. STAFFORD. But we did not appropriate that \$20,000,000 until late in the fall, and, considering the bad weather that has intervened, a great deal could not have been spent during the winter, although the gentleman has said that a great deal of it was to be expended in the South, where winter conditions do not have to be combated. Will the gentleman at some time, whether under the five-minute debate or otherwise, submit a report on that line for the information of the Members?

Mr. SPARKMAN. I will try to do that. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has six minutes.

Mr. SPARKMAN. I have taken more time than I intended or thought I was taking.

Mr. J. M. C. SMITH. Mr. Chairman, will the gentleman yield for a short question?

Mr. SPARKMAN. Certainly.

Mr. J. M. C. SMITH. I see that a good deal of the appropriation is for maintenance. Will the gentleman explain what is meant by maintenance?

Mr. SPARKMAN. By maintenance is meant the preservation of a work in its completed condition. The term applies primarily to completed projects, though it may and sometimes does embrace partly completed projects. An appropriation for maintenance is to prevent deterioration in work already completed.

From questions propounded to me since I began, as well as statements made in a few of the newspapers, I infer there is a feeling that the Committee on Rivers and Harbors has discriminated against projects in States not represented on the committee in favor of those who are so represented. It is a matter of regret, to me at least, that such insinuations are made, as nothing can be further from the facts, for no new projects have been adopted in this bill, whether located in or out of the States or districts having Members on the committee. So there can certainly be no discrimination there.

As I have said, nothing but old projects are provided for in this measure, and each has been treated alone on its merits. True, the estimates furnished by the War Department have been severely cut, some more than others, and those in some States, taken as a whole, more than those in other States, but in the process of pruning we have not been governed by favoritism in any case. On the contrary, we have been controlled in nearly every case by the advice of the engineers, and in all cases by what appeared to be the urgency and the relative importance of the work. These have been the rules and the only rules by which we have been governed in dealing with the projects everywhere, including those in the State of Florida, in whose borders there are 31 projects and 2 partly within her limits, for which estimates were made amounting in all to \$1,499,500, or about 36 per cent. This reduction left for all the Florida projects \$975,000, only about \$184,000 of which goes into the district I represent here, with its 16 projects and 5,000,000 tons of water-borne commerce. I may add that there is only one State having a larger commerce than Florida where the engineers' estimates were cut more severely, and that State has a Member on the committee.

Now, I have mentioned the State of Florida especially, as it apparently has come in for as great a share of criticism on the alleged ground of favoritism as any other represented on the committee. I may further remark that the estimates for the projects in every State having a representative on the committee were reduced except in the case of one, and that only received \$77,500, while there were four of those not so represented whose projects received the entire amounts recommended in the Book of Estimates. But why, Mr. Chairman, pursue this any further? No one with adequate knowledge of the facts would make any such charges or believe them if made.

Mr. Chairman, I have called attention to the fact that the criticisms of recent river and harbor legislation, or attempts at legislation, while taking a range involving the policy followed by Congress in the treatment of our navigable water-



ways, have dealt more with individual projects than the policy under which these projects were adopted. These critics have done this without undertaking to suggest a better plan. Now, Mr. Chairman, no one is justified in destroying a great system of internal improvement like that under which our navigable waterways have been developed without offering a better one to take its place. There is, in my judgment—and I think in the judgment of a majority of the people of the country—much to commend in our present system, which has accomplished a great deal for the people and the commerce of the country. Certainly a policy which has fitted hundreds of harbors on ocean and lake and gulf, and upwards of 26,000 miles of navigable rivers, for the accommodation of modern commerce, that has stimulated the growth of our water-borne commerce until, from small beginnings, it has reached the enormous proportions of more than a billion tons annually, is not altogether bad. So the people have a right to ask of him who would destroy, Give us something better in lieu of that you would abolish. But as yet no plan has been offered, or even suggested, by the critics of river and harbor legislation to take the place of our present system. True, one has been recommended by a distinguished United States Senator which would unite conservation schemes, flood-protection plans, and other reclamation propositions with river and harbor improvement, and would require the appropriation of the large sum of sixty millions annually for 10 years to be turned over to a board, to be spent upon the improvements thus to be combined and made. But nothing definite up to this hour has been suggested by our critics to take the place of the system the logic of their criticism would destroy. Of course I appreciate their difficulties, but these obstacles do not excuse them, for he who would destroy a system of waterway improvement under which three-quarters of the work necessary to place all our harbors and navigable rivers in such condition as will enable them to do the business demanded by modern commerce has been accomplished, a plan which for years has met the approval of the public—I say one who would destroy such a system should give the people a better one in its place. At least something should be suggested for the policy their logic would destroy.

Of course we can curtail our activities even under the present policy, though it may be difficult to draw the line between projects, all more or less worthy, but which come to us with varying degrees of merit. Yet while conditions demand retrenchment, as they now do, we will have to curtail our work. Just how this is to be done or where the line is to be drawn is something we need not discuss now. All these questions can and will be settled in the future as we approach them. In the meantime, if there is any item or items in this bill that ought not to be here, let them be eliminated. That is our privilege and our duty.

Now, Mr. Chairman, I believe in economy both in individual and governmental expenditure, but parsimony is not always economy, whether practiced by persons or by governments, and I do not believe it would be economy to stop work on such of our rivers and harbors as are now under treatment and are worthy of further improvement. Nor would I be in favor of materially curtailing the work on such projects. On the contrary, I think it economy in the very highest degree to complete them as rapidly as possible; and that, I may add, is what the people who are demanding this work understand by the word "economy." They will never criticize us for money necessarily and judiciously expended in giving them better transportation facilities; nor are they going to be frightened or abate their demands on us by the cry from certain quarters of "pork barrel" in connection with our river and harbor legislation, for well they know there is no truth in such claims, and I may add that it is an insult to their intelligence to charge or even suggest that our river and harbor bills are framed upon any such principle.

Now, Mr. Chairman, we have done the best we could with this bill. Admonished at the outset that because of existing revenue conditions we must cut the appropriations wherever possible and to the lowest limit consistent with the absolute necessities of the respective works, our task, confronted as we were with 150 or 200 projects, scattered all over the country, demanding attention, has not been an easy one. But we have done the best we could under the circumstances and have tried to be fair with each and every project. We believe we have presented to the House a clean as well as a conservative measure, and we hope it may meet the approval of this body. [Applause.]

Mr. HUMPHREY of Washington. I yield 20 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Chairman, the Rivers and Harbors Committee attempts to meet objections of certain economists by limiting appropriations to existing projects and holding back

appropriations for other projects that are essential to commerce and the safety of the country. At the present time I do not think this is wise policy. We are now in a position, favored above all nations, to promote our own welfare and to build up and sustain our national resources, and it is bad business to stop work upon our rivers and harbors which contribute so much of our commercial activity and which add so much to our revenue. It would seem, indeed, as if this were the one time above all others to take advantage of our opportunities and to encourage our people to continuous and profitable employment.

I shall not attempt to analyze the bill that is now before us with that critical eye which looks for the little rivers where a few thousand dollars are to be spent and overlooks the great projects where millions are assured, except to say that it is noticeable, even though most of the objections to the bill come from the States of the interior, that there is no disproportionate diminution of appropriations for the great interior projects. They are cared for as usual, because they enjoy the good fortune to have been begun; that is to say, money has already been expended upon them and they are not "new projects." It is the coast line that suffers the most from "the economy" in the bill; that coast line where the greatest commerce exists and where there would be the greatest national need for improved harbors and waterways in the event of war.

It may be true that losses incurred through last year's filibuster on great projects, like the deepening of the Hudson and Delaware Rivers, have been partially made up from the lump-sum compromise of \$20,000,000, and that the bill now before us provides new appropriations to continue the work. The fact remains that certain improvements demanded for the great revenue-producing port of New York are not taken care of in the bill, the New London harbor project is left out, and the Chesapeake & Delaware Canal proviso is also omitted. With respect to this latter project, that very numerous body of American citizens along the Atlantic seaboard from Maine to Florida, who believe the Government should make free to the public the waterway between the Delaware and Chesapeake Bays, is denied even the year's advantage it would obtain in the institution of court proceedings to ascertain the value of the existing canal property. It is much to be regretted and is surely not in accord with good public policy that the commercial necessities of so large a proportion of our people should be so persistently set aside.

Notwithstanding what the bill does not contain, however, I intend to support it. It provides for many worthy projects, which if delayed or defeated by another filibuster would result in great loss to the Government and to the commercial interests. The defeat of the bill at this time would also leave many of our harbors and streams which do not happen to be "new projects" in a deplorable condition in event they should be needed for military or naval purposes. I shall support the bill also for what some of its critics may assume to be a local reason. The bill carries an appropriation of \$1,500,000 for continuing the improvement of the Delaware River and for maintenance, from Allegheny Avenue, Philadelphia, along Pennsylvania, New Jersey, and Delaware to the sea. This project is not solely for the benefit of Philadelphia and Pennsylvania, although they have spent as much upon it as the Federal Government has, but the Government itself is committed to the improvement and maintenance of this stream, and needs it for reasons that are self-evident.

The port of Philadelphia is now second in tonnage on the Atlantic coast. It has always been and always will be a great port. It has acquired this proud position through having a channel 30 feet deep and an approved project to carry it forward to 35 feet. The 35-foot project was authorized in the river and harbor act of June 25, 1910, the estimated cost being \$10,920,000, and the report of the Army engineers justified the hope that the work would be completed in six years from that time. I shall not argue with those who think the sum is large, except to say that for many years past the port of Philadelphia, through the Delaware River, has been one of the best revenue producers of the country. If it costs approximately \$11,000,000 to improve such a river, it must be credited with annual customs receipts ranging from \$17,000,000 to \$21,000,000, which receipts for any one year would be equal to all the money the Federal Government has spent upon the Delaware River since Daniel Webster, in his celebrated reply to Hayne, referred to the uncompleted Delaware Breakwater which still stands at the mouth of the bay. And if it be charged that the cost of maintenance amounts to \$300,000 per annum—I wish the gentleman from Michigan [Mr. J. M. C. SMITH], in view of his inquiry of the gentleman from Florida, would listen particularly to this—it should also be remembered that railroad tracks



wear out and must be replaced, that macadam roads disintegrate and must be reconstructed, and that rivers fill up and must be kept in order, if they are to continue in the public service.

But apart from business and financial considerations, it is important to the Government as well as to the people that work upon the Delaware River shall be hastened. The recent filibuster cutting out the regular appropriations for 35-foot channel work not only hampered the commercial interests which bring in a great revenue to the Government through the river, but added greatly to the perplexities of the War and Navy Departments with respect to the shipments of coal from the Pennsylvania mines. The War Department has one of its most important arsenals on the Delaware River at Philadelphia, and the Philadelphia Navy Yard is the one great fresh-water station of the Navy Department. It is not disputed that these Government stations have a great advantage over other stations in the matter of skilled labor, fuel supply, adaptability of service, and all-around economy. It is of great importance to the Government that it can send its vessels into fresh water for storage or repair. It is also essential that they shall have easy access to the coal supply. Recent tests of bituminous coal from Pennsylvania have proven its acceptability to the United States Navy, and contracts for delivery at Philadelphia indicate that the Navy can do business at the port of Philadelphia with profit to the Government. But questions of navigation have arisen which threaten to do the port an injustice and place the Government at a considerable loss. I will not now discuss the question of coal for steaming purposes or the proficiency of naval captains or pilots to safely navigate a river, but I do desire to draw attention to the fact that in the matter of certain coal shipments recently made the port of Philadelphia has suffered in the interest of other ports having a channel depth of 35 feet. It is neither just nor prudent that any further economy in appropriations should be practiced upon the Delaware River.

And here I pause for a moment to say that I believe not less than 700,000 tons of coal for use by the Government are now involved, and that at a cheaper cost from Philadelphia than the Government would incur at any other port.

It may be of no concern to the War or Navy Departments that a foreign vessel navigated by a foreign captain, carrying cargo to or from the port of Philadelphia, shall run his "nose" aground in a narrow channel, but it is important to these great departments of the Government that our own vessels shall be able to reach our own navy yards and our own coaling stations without hindrance or delay. Testimony recently given before the Committee on Naval Affairs presents an unusual condition with regard to the matter of coal. In order to circumvent what was believed to be a combination to control the price of coal delivered at Norfolk, the Secretary of the Navy discovered a new source of coal supply in Pennsylvania. It could be delivered cheaper at the port of Philadelphia than elsewhere. One of the great colliers of the Navy came up to Philadelphia and departed with a load of this coal. Now we hear that channel depths are again under discussion in the departments, and that coal that should have been shipped from Philadelphia may be shifted to other ports at an increased expense to the Government. Is the Government to lose its advantage in the price of coal and in the rates of freight because the 35-foot channel of the Delaware has not been completed from Allegheny Avenue to the sea? If this is the penalty for too much economy, what would be the cost should vessels of the Navy have to coal hastily for purposes of war?

Out of the lump appropriation of \$20,000,000 evolved from the filibuster, only \$1,000,000 was allotted to the Delaware River. It was necessary to take the maintenance cost out of that sum and then use much of it to catch up with the work that had fallen back two months while the filibuster was on. Thus \$700,000 or less became available for actual work on the project until a new appropriation is made. It was a costly delay. Further delay would be even more costly. The plans of the Army engineers contemplated appropriations at the rate of approximately \$2,000,000 per annum. This would have been sufficient to complete the work in six years. That is what we expected and desired, but the \$2,000,000 a year was not forthcoming, and now we are told that at the present rate of appropriations there will be further delay and a greater expenditure than was originally contemplated. It is evident, therefore, that small and intermittent appropriations can have but one result—delay and waste. Against this kind of economy I earnestly protest.

The Delaware River is worth all the Government has spent upon it and much more. There is no other river in the United States that equals it in commerce and tonnage, nor is there another river so extending inland that is of greater concern to the Army and the Navy. [Applause.]

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. J. M. C. SMITH. The gentleman states that the tonnage on the Delaware River exceeds that of any other river.

Mr. MOORE. I mean any other inland river.

Mr. J. M. C. SMITH. Has the gentleman considered the amount and value of the tonnage on the Detroit River?

Mr. MOORE. I do not regard that as an inland river. It is merely a passageway between two great bodies of water where the ships must concentrate. If we went into that, it would be necessary for me to call upon the gentleman to show the value of the tonnage that goes through, which is mainly iron and copper ore or other dead weight, which makes a great tonnage. Placed in contrast with the valuable commercial tonnage of a river like the Delaware the latter would not suffer.

But to continue, Mr. Chairman, and to conclude, doing the best they can with appropriations thus far made, the Army engineers report that but 26 per cent of the work of the new channel of the Delaware has been completed. It is not fair to thus handicap so serviceable a port for a period of years, when competitive ports along the coast have already attained a depth of 35 feet. The city and State are doing their part to care for the commerce of the port, and it is not unreasonable to urge the Government to save its own money, facilitate its own business, and increase its own revenues by keeping its own contract to complete the 35-foot channel for its own use. [Applause.]

Mr. Chairman, I have only one word more to say, and that pertains to the broad subject of economy that the River and Harbor Committee proposes to practice in this instance. I do not believe that it is wise policy to practice this kind of economy just now with respect to new projects absolutely essential to the commercial or national welfare. The chairman says it is economy, but should it appear that this great committee has become scared at the announcement that the bill may be defeated by one or two men who threaten to oppose it here or elsewhere, it seems to me that some of us should speak out in protest. The great body of the Members of this House want truly to represent their constituents, and they have the right to speak for those projects that are of interest to the people of their States. I for one do not propose to waive my right to speak for the people of my State.

And as to economy, the chairman tells us that is the reason the new projects are to be cut out—I want to say for the benefit of these economists, some of whom preach peace and vote for all kinds of appropriations for their own localities, that whereas we have in the last 40 years appropriated out of the money of the people over \$2,000,000,000 for the maintenance of the Navy and fully \$2,000,000,000 for the maintenance of the Army, and more than \$4,500,000,000 to pay pensions to the old soldiers—all we have spent on the business-making, revenue-creating, employment-giving, nation-protecting water carriers of the country has been \$693,000,000. When placed side by side with the enormous but seemingly insufficient appropriations that have gone into munitions of war, into the construction of defenses and battleships, and the payment of pensions which are so well deserved, the amount that has been grudgingly given to the commerce of the country for the purpose of creating business, developing our natural wealth, and giving employment to labor has been a sorry pittance. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. HUMPHREY of Washington. Mr. Chairman, how much time does the gentleman from Pennsylvania yield back?

The CHAIRMAN. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, the bill now under consideration is one that has attracted much attention all over the country. It carries \$34,138,558, \$14,894,438 less than the Government engineers and the department recommended.

Perhaps some of the criticism leveled against it in the past may have been justified. In my 10 years' service in this House, and as one deeply interested in the improvement of our waterways, having several navigable streams in the district that I have the honor to represent, no graft—commonly styled "pork-barrel" legislation—has been in these river and harbor bills so far as I was able to discover. True, some appropriations, small sums, appeared from time to time for the improvement of certain streams comparatively unknown, but that did not prove them to be unworthy of consideration.

In my experience and observation I have discerned but few items that might be considered objectionable. The amounts thus appropriated were relatively small. Even if objectionable and unnecessary, it does not justify the wholesale criticism made against the bill. In my section the famous East River and



Bronx Kills, the Harlem River, the Hudson River, and the Bronx River projects, among the most important navigable streams in the country with a very large commerce, have been seriously crippled by the failure of last year's bill as it went to the Senate. Not only has it had this bad effect, but it has held up great necessary public improvements of the city of New York. The failure of the measure of 1914 worked a great injustice not alone to the metropolis but elsewhere. No one felt the necessity for economy at that time more than the speaker, but this was not the place to begin. It was too far-reaching, too damaging in its results. It held up the improvement in the Harlem River for which the State of New York has appropriated \$1,000,000 for the right of way to improve the channel and the opening of a safe and short passage into Long Island Sound through the Bronx Kills, less than a mile in length, avoiding the dangers of Hell Gate, both vitally necessary to accommodate the commerce of the new Erie Barge Canal.

The East River project with the other two just mentioned and approved by the United States engineers, all of deep interest to the great Northwest and the New England States, as well as to the city and State of New York, were lost—at least retarded—by the action of the other legislative body of the Congress. That, too, in the face of the well-known fact that the leader of the opposition in the Chamber at the other end of the Capitol was thoroughly familiar with the projects named as well as the others at the port of New York, that furnishes one-half of the revenues for the support of the Government.

I want to say, in closing, that in my judgment the bill as it passed the House in 1914 should have become a law. The amount cut out of the measure affected many meritorious and needed improvements, crippling the needs of navigation and the demands of commerce beyond the calculation of those best informed on the subject. Not only this, but in these times of depression it kept many in idleness and their families in want. The harsh criticisms of the press, especially of my own city, has aroused a bitter feeling against the meritorious projects of the port of New York, making it far more difficult to secure the amount so badly needed and to which they are justly entitled.

I hope that this year's bill, as reported by the committee, will pass both Houses and become a law. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor bill, and had come to no resolution thereon.

#### ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Tuesday, January 12, 1915, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting supplemental estimates of appropriation for the fiscal year 1916 for continuing the construction of the Blackfeet, Flathead, and Fort Peck irrigation projects, in Montana, and for the second installment on account of the storage water right provided in the Indian appropriation act approved August 1, 1914 (38 Stat., p. 605), for the irrigation of Indian allotments and the Yakima Indian Reservation in the State of Washington (H. Doc. No. 1481); to the Committees on Appropriations and Indian Affairs and ordered to be printed.

2. Letter from the chairman of the Interstate Commerce Commission, transmitting the report of its Chief of the Division of Safety for the fiscal year 1914, calling particular attention to that part of the report relating to investigation of safety devices under the provisions of the urgent deficiencies act, Public, No. 32; and also a typewritten copy of the report of the commission's Chief of the Division of Safety concerning a test of the Gray-Thurber automatic train-control system (H. Doc. No. 1482); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

3. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting additional matter and specifications in con-

nection with his estimate of appropriation in the sum of \$250,000 for the protection of lands and property in the Imperial Valley, Cal. (H. Doc. No. 1476); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Secretary of the Treasury, submitting a statement correcting House Document No. 1228, Sixty-third Congress, third session, relative to number of typewriters purchased, etc., during the first three months of the current fiscal year by the Treasury Department (H. Doc. No. 1483); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TALCOTT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6839) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, reported the same with amendment, accompanied by a report (No. 1271), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey, reported the same with amendment, accompanied by a report (No. 1272), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRYAN, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4854) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon or Washington, or both, reported the same with amendment, accompanied by a report (No. 1273), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NORTON, from the Committee on Indian Affairs, to which was referred the bill (S. 5255) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States, reported the same with amendment, accompanied by a report (No. 1274), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 20777) providing for the fencing of a cemetery of the Apache, Kiowa, and Comanche Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. GORMAN: A bill (H. R. 20778) to regulate the exportation of foodstuffs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIBBLE: A bill (H. R. 20779) to prohibit the intermarriage of persons of the white and negro races within the United States of America; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions; to the Committee on the Judiciary.

By Mr. GALLIVAN: A bill (H. R. 20780) to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HOBSON: Joint resolution (H. J. Res. 400) to establish an investigating peace commission; to the Committee on Foreign Affairs.

By Mr. KAHN: Resolution (H. Res. 702) directing the Secretary of War to transmit to the House copies of all documentary information in connection with the rates on deck loads passing through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWDLE: A bill (H. R. 20781) granting an increase of pension to William F. Doran; to the Committee on Invalid Pensions.



Also, a bill (H. R. 20782) granting an increase of pension to Magdalena Kleisler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20783) granting an increase of pension to Louisa Sebben; to the Committee on Invalid Pensions.

By Mr. BROWN of New York: A bill (H. R. 20784) granting a pension to Emma J. Crocker; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 20785) granting a pension to Missouri L. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20786) granting an increase of pension to Lucy L. Laymon; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20787) granting a pension to Wilhelmina Taylor; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 20788) granting a pension to Josephine Burnett; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20789) granting an increase of pension to Thomas Covell; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 20790) granting an increase of pension to Lucinda Barnes; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 20791) granting an increase of pension to William Wilson; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20792) granting an increase of pension to Margaret B. Bradley; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 20793) granting an increase of pension to Joseph Hurt; to the Committee on Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 20794) granting a pension to Howard D. Lowd; to the Committee on Pensions.

Also, a bill (H. R. 20795) granting an increase of pension to William House; to the Committee on Invalid Pensions.

By Mr. KEISTER: A bill (H. R. 20796) granting an increase of pension to George W. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20797) granting an increase of pension to Nancy Fortney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20798) granting an increase of pension to Elijah J. Reed; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 20799) granting an increase of pension to Robert Bigger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20800) for the relief of Charlotte M. Johnston; to the Committee on Claims.

By Mr. MADDEN: A bill (H. R. 20801) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. in accordance with the decision of the Court of Claims in case No. 30159; to the Committee on Claims.

Also, a bill (H. R. 20802) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. for transporting the United States mails in accordance with certain decisions of the Court of Claims; to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 20803) granting an increase of pension to Alonzo Wagoner; to the Committee on Invalid Pensions.

By Mr. PATTEN of New York: A bill (H. R. 20804) for the relief of William P. Nason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20805) for the relief of the heirs of the late James L. Watson; to the Committee on Claims.

By Mr. RUPLEY: A bill (H. R. 20806) granting an increase of pension to Mary C. Beam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20807) granting an increase of pension to Rebecca Reed; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20808) to authorize the Secretary of the Treasury to adjust the accounts of the St. Louis, Iron Mountain & Southern Railway Co.; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 20809) granting a pension to Calista M. Irish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20810) granting a pension to John Salchli; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20811) granting an increase of pension to Margaret J. Doveney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20812) granting an increase of pension to Mary C. Smith; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 20813) granting an increase of pension to Sanford B. Dickinson; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Ladies' Auxiliary of the German-American Relief Committee of the District of Columbia, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also (by request), petition of the National Association Opposed to Woman Suffrage, protesting against woman suffrage; to the Committee on the Judiciary.

Also (by request), petition of the New York Board of Trade and Transportation, favoring passage of the Root bill (S. 3672); to the Committee on Rivers and Harbors.

By Mr. ASHBROOK: Evidence to accompany H. R. 248, a bill for the relief of Thomas West; to the Committee on Pensions.

By Mr. BAILEY: Petitions of William Bentman and H. E. Strunk, favoring passage of H. R. 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BROWNE of Wisconsin: Petitions signed by Fr. F. Selle, D. E. Meisner, and other residents of Shawano County; L. C. Sievert, Herman Anklam, jr., and other residents of Weyauwega; Emil F. Polzin, Anton Mauritz, and other residents of Big Falls; Ferd Fischer, L. J. Osterloth, A. Hermann, F. W. Peterman, Herman Spiegel, Oscar Baum, Rev. Martin Mueller, Reinch Dobberfuhl, John W. Runge, William Burmeister, G. Knaak, H. Krueger, and other residents of Shawano County; F. A. Bentz, Alex. J. Stolle, and other residents of Nekoosa, all in the State of Wisconsin, asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by Peter Weber, president of the Marshfield Society of Equity, and John Ulmer, secretary of the Marshfield Society of Equity, expressing the views of the 260 members of that society, asking that the Congress of the United States pass laws that will enable the President to place an embargo on all contraband of war saving foodstuffs; to the Committee on Foreign Affairs.

Also, petition signed by Ernst Schwortz, William H. Schmidt, Frank Lipke, Gust Beilke, T. Fless, E. E. Hopper, and other residents of Shawano County; F. M. Szebsdat, George Wetteraw, and other residents of Fenwood; Henry Liethen, William Kuehn, and other residents of Marathon County; John Fandrey, Otto Baerenwald, and other residents of Shawano County; J. J. Lohmar, W. R. Sielaff, and other residents of Wausau; Carl Malitz, August Wolf, William Hoffman, Emil Pockat, Carl Dicke, Carl Priem, A. C. Ladwig, Herman Heller, Charles Voigt, E. W. Frailing, J. M. Kempff, T. F. Simon, G. Kunz, C. A. Paul, Dr. Carl E. Stubenvoll, Arthur Mathwig, George Schroeder, G. F. Richards, and other residents of Shawano County, all in the State of Wisconsin, asking that House joint resolution No. 377, which provides that the President be authorized, in his discretion, to prohibit the exportation of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

By Mr. BUCHANAN of Illinois: Memorial of Illinois State Federation of Labor, protesting against greater Army and Navy; to the Committee on Military Affairs.

By Mr. BURKE of Wisconsin: Petition signed by 417 citizens of the city of Beaver Dam, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prevent the exportation from this country to belligerent European countries of arms and munitions of war; to the Committee on Foreign Affairs.

By Mr. DILLON: Memorial of 50 homesteaders of South Dakota, relative to opening of Standing Rock and Cheyenne River Indian Reservations to homesteaders, etc.; to the Committee on the Public Lands.

Also, memorial of Humboldt (S. Dak.) local branch of the German-American Alliance of South Dakota, favoring House joint resolution 377, relative to neutrality of United States; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petitions of citizens of the State of New Jersey, protesting against exportation of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of sundry citizens of the State of New Jersey, favoring suffrage for women; to the Committee on the Judiciary.



By Mr. HAYES: Petitions of organizations in San Francisco, Cal., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of citizens of California, favoring House bill 20035, to extend the time for making final proof in certain desert-land entries in Fresno and Kings Counties, Cal.; to the Committee on Irrigation of Arid Lands.

Also, petition of Dr. David Starr Jordan, of Stanford University, Cal., favoring selection of San Francisco as meeting place of the next Peace Congress; to the Committee on Foreign Affairs.

Also, petition of Council 1271, Knights of Columbus, of San Luis Obispo, Cal., relative to religious persecution in Mexico; to the Committee on Foreign Affairs.

Also, petition of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for a national marketing commission; to the Committee on Agriculture.

Also, petition of Peace Society of San Jose (Cal.) State Normal School, against increase in Army and Navy; to the Committee on Military Affairs.

Also, petition of citizens of California, against larger appropriations for armament in the United States; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petitions in favor of woman suffrage from Ednah B. Hale, Mrs. Harriet I. Roworth, E. Carol Hodge, M. E. Carpenter, Helen Bowen Jones, of Providence; C. Isabelle Lee, East Providence; Alex. S. Arnold, Woonsocket; Marie T. Cottrell and Mrs. Robert Herrick, of Newport, all in the State of Rhode Island; to the Committee on the Judiciary.

Also, petitions of Joanna Sophia Buffum, Mrs. A. F. Squire, May J. Keating, Hannah E. Bacheller, Rebecca Taylor Bosworth, Harriet F. Riggs, M. Anna Ford, Rachel Wallace Bertram, Elizabeth H. Swinburne, and Henry C. Bacheller, all of Newport, R. I., in favor of woman suffrage; to the Committee on the Judiciary.

By Mr. KETTNER: Memorial of various organizations of the State of California, favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. LANGHAM: Petition of business men of the seventeenth Pennsylvania congressional district, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. MAPES: Petitions of citizens of Grand Rapids, Mich., asking for the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. PATTEN of New York: Petitions of sundry citizens of New York, relative to export of arms and ammunition by the United States; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of citizens of the State of California, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. REILLY of Connecticut: Memorial of National Association Opposed to Woman Suffrage, relative to right of States to grant suffrage to women; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of 150 citizens of Detroit, 150 of Thief River Falls, and 75 of Parkers Prairie, all in the State of Minnesota, favoring House joint resolution 377, to prohibit exportation of war matériel; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers to accompany bill for increase of pension to Mary C. Smith; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: Petition of citizens of Denver, Colo., favoring House joint resolution 377, prohibiting export of arms; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of American citizens of Cedar Lake, Ind., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of 750 American citizens of Chicago, Ill., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of J. C. Dahms and 17 other American citizens of Walnut Grove, Minn., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of citizens of Clinton, Iowa, favoring embargo on all contrabands of war; to the Committee on Foreign Affairs.

Also, petition of citizens of Cedar Lake, Ind., favoring Senate bill 6688, forbidding export of arms; to the Committee on Foreign Affairs.

## SENATE.

TUESDAY, January 12, 1915.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek from Thee grace and strength for this new day. We pray that we may have proper regard for the sacred traditions of our country, the ways of our fathers, the wisdom that comes out of the experiences of the past. Give to us also that spirit of progress which will hear the call of the new day and grace that will fortify us for facing the ever-increasing responsibilities of life. As Thy Spirit has guided the leaders of this great people in the days gone by, so do Thou abide with us still, guiding us on the upward and onward path to ever-increasing prosperity and happiness because of ever-increasing righteousness and holiness among the people. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1710. An act to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions;

H. R. 7771. An act to regulate plastering in the District of Columbia;

H. R. 13226. An act prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle, No. 39, of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia;

H. R. 15215. An act to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes;

H. R. 16759. An act to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, etc.; and

H. R. 19552. An act providing for annual assessments of real estate in the District of Columbia.

## ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.; and

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

## PETITIONS AND MEMORIALS.

Mr. ASHURST presented a petition of sundry citizens of Tucson, Ariz., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented petitions of sundry citizens of Topeka, Sylvan Grove, Haven, Friend, Ellinwood, and Belvue, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. GRONNA. I present a telegram in the nature of a petition from Mrs. Helen C. Bascom, secretary of the Suffrage League of Wimbledon, N. Dak. It is very short, and I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WIMBLEDON, N. DAK., January 9, 1915.

Senator GRONNA,  
Washington, D. C.:

May this letter convey to you the earnest wish of our women and majority of our Wimbledon voters for the success of the suffrage amendment. We feel sure you will give your vote, and trust you will use your utmost influence for the adoption of this measure.

HELEN C. BASCOM,  
Secretary Suffrage League.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the